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George Sumner Esq.
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ON

LOCAL DISTURBANCES

IN

I R E L A N D ;

AND ON

THE IRISH CHURCH QUESTION.

BY

GEORGE CORNEWALL LEWIS, Esq.

LONDON:

B. FELLOWES, LUDGATE STREET.

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1874. 2^d print. 1874.
Reprint of
Hon. Charles Sumner,
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LONDON: PRINTED BY W. CLOWES AND SONS,
Stamford Street.

35-210
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P R E F A C E.

OF the two subjects discussed in the following pages, the first respects an important element in the condition and character of the Irish peasantry, viz., their disposition to organized crime and disturbance, and the causes which have led to the existence of this disposition. On the general question of the state of the Irish poor, the Report of the Commission of Inquiry will doubtless furnish all the information to be desired ; but the connexion between crime and poverty in Ireland, and the true origin and objects of the disturbances which unhappily have been so prevalent in that country, are questions, allied indeed with the problem proposed to that Commission, but not necessarily forming a part of it.

Lest an inquiry of so much interest should remain unattempted, I have sought to collect all the information to which I had access on the subject of Irish disturbances, and to take a connected view of the whole ; with the purpose of ascertaining by what means

it may be possible to establish permanent tranquillity among the peasantry. This subject I have pursued with great detail through its different parts; and although the explanation which results from it is only one element in the decision of the arduous problem of the expediency of a poor-law for Ireland, it is nevertheless an element of great importance, and one which involves the consideration of the characteristic evils in the condition of the agricultural labourers of that country.

With regard to the mode of treating the subject, it appeared to me that in a question so vexed with contradictory opinions, a bare appeal to evidence, to which the reader might not have the means of referring, would be unsatisfactory and inconclusive. I have therefore extracted at full length all the chief statements bearing on each point which I was able to find; and although in so voluminous a mass of evidence, some testimonies may have escaped me, I am not aware of any material fact which is not sufficiently illustrated by the statements of trustworthy witnesses.

The substance of the remarks on the Irish Church question, which I have subjoined, has already appeared as an article in the third number of the *London Review*. The different questions relating to Ireland are so inti-

mately connected, that no apology is required for combining the discussion of these two subjects in the same volume. This connexion is especially perceptible in the present case; as not only the *character* of the measures themselves, but the *order* in which they are to be carried into effect is of paramount importance. The motives for a mal-administration of the poor's fund have been found to be sufficiently numerous in England; but how much will the difficulty of a frugal and impartial distribution of relief be increased, if a sectarian spirit is superadded; and if the cause of the Catholic pauper is zealously supported against the parsimony of the Protestant landlord and rate-payer! If, therefore, the difficulty of administering an Irish Poor Law would be great under any circumstances, how much greater must it be while the Church question remains unsettled.

It is earnestly to be desired that no impatience of interest, or of party zeal, should precipitate the decision of the various Irish questions which must shortly occupy the attention of the Legislature. Events have now reached a crisis, at which one false step might never be retrieved. Ireland is still as clay under the potter's hand: the elements of society in that country are still floating in chaos, and await the hand of power to fix and fashion

them. In England and Scotland the form of society is so firmly established, that if we consider large periods of time, little seems to depend on the individual character or acts of the persons who may, for the time being, stand at the head of affairs; and its advances are gained by its own slow but steady efforts. But it is otherwise in Ireland. Improvement and civilization must there descend from above; they will not rise spontaneously from the inward workings of the community. Hence it is above all things to be hoped, that those who may now be said to hold in their hands the destinies of that important country, will take a connected view of its entire condition; that they will deliberately frame a consistent scheme of policy with reference not to present exigencies, but to the future welfare of Ireland, and its relations to this country; that they will seek to guide events, not to wait upon them; that they will not falter at this trying moment; and that thus they may happily follow up the great work which has been too long postponed, of raising the Catholic population of Ireland to a level with the inhabitants of Great Britain, not only in political rights, but also in wealth and civilization.

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ERRATA.

Page 37 line 9, *for bodies read body.*

Page 149 line 9, *for exclusively read almost exclusively.*

Page 279 line 18, *for the rarely read the more rarely.*

IRISH DISTURBANCES.

INTRODUCTION.

FOR the last seventy years Ireland has been the scene of constantly recurring disturbances; sometimes consisting only of the murder of a few persons, or the burning of a few houses, and sometimes rising to general insurrection. Successive governments have apparently exhausted every means in their power to suppress the evil, but without success. The statute-book has been loaded with the severest laws; the country has been covered with military and police; capital punishment has been unsparingly inflicted; Australia has been crowded with transported convicts; and all to no purpose. Committees and Commissions have collected piles of evidence; the most various plans of policy have been recommended by different persons; some have attributed the turbulence of the inferior Irish to their inherent barbarism; some to their religion; some to their hatred of England; some to their poverty; some to their want of education. Much new legislation has been tried, and in vain: in a large part of Ireland there is still less security of person and property than in any other part of Europe, except perhaps the wildest districts of Calabria or Greece: and there are persons who altogether despair of establishing permanent tranquillity in Ireland, and who think that it is an exception to all the ordinary rules of government. Such reasoners sometimes even push their political fatalism so far as to conceive that there is an innate and indelible tendency in the Irish to disturbance and outrage; that Ireland has been cut off by nature

from the rest of the civilized world, and been foredoomed to a state of endless disorder; so desponding, indeed, is their language, that they almost seem to view the Irish people in the same light as Don Juan d'Aguila, the Spanish commander, who (as we are told by Lord Bacon) after the battle of Kinsale, "said in open treaty, that when the Devil upon the mount did show Christ all the kingdoms of the earth and the glory of them, he did not doubt but the Devil left out Ireland, and kept it for himself*."

At a time when many questions affecting the welfare of Ireland are under public discussion, and are likely soon to occupy a large portion of the attention of the legislature, it seems desirable that some attempt should be made to ascertain the true causes and nature of the disturbances in question; and to discover whether there is anything so extraordinary in the character of the poorer classes in Ireland as to bid defiance to the best established rules of legislation; or whether the appearances alluded to may not be explained without supposing any deviation from the general course of human nature.

With this view, I propose, in the first place, to trace the history of the various local disturbances which prevailed in Ireland in the latter half of the last century (so far as the imperfect accounts of them given by contemporary writers will permit), and next, fully to explain, by means of evidence taken by several parliamentary committees, the nature of these disturbances, which have continued, with partial interruptions, but unaltered character, from about the accession of Geo. III. to the present day.

* Of a war with Spain: Bacon's Works, vol. v. p. 276.—Ed. Montagu.

CHAPTER I.

HISTORY OF IRISH LOCAL DISTURBANCES FROM 1760
TO THE PRESENT DAY.

By the settlement of Ireland after the revolution of 1688, the power of the new government was so firmly established, that no combined movement took place in favour of the ancient dynasty, not even during the Scottish rebellions of 1715 and 1745*. The system

* The feeling so long and so ardently entertained by the Jacobites of Scotland in favour of the family of their former princes, did not prevail in Ireland to anything like an equal extent, notwithstanding the large numbers of Catholics in the latter country. "As to the Pretender (says Swift, in his 7th Drapier's Letter, written soon after 1724) his cause is both desperate and obsolete. There are very few now alive who were men in his father's time, and in that prince's interest; and in all others the obligation of conscience has no place. Even the papists in general, of any substance or estate, and their priests, almost universally are what we call Whigs, in the sense which by that word is generally understood." Vol. vii. p. 46. ed. Scott.

"It is notorious (says Plowden, Hist. Review, vol. i. p. 336), that when Murray, the Pretender's secretary, gave up all the letters and papers relative to the last rebellion in Scotland, a scheme which had been planning and contriving for seven years before, it plainly appeared that the Jacobite party had no dependence upon, or connexion or correspondence with, any Roman Catholic in Ireland; the very name of that kingdom not having been once mentioned throughout the whole correspondence."

Dr. Campbell, in his Philosophical Survey of the South of Ireland, published in 1777, speaking of the common people of Athlone, says, "Curious to learn their sentiments as well as manners, I have entered into conversation with them as often as possible, and I could not find them so much attached to the house of Stuart as I apprehended. They have frequently spoke of James II. with indignation. He called the Irish cowards, and said that all was lost through their fault at the battle of the Boyne: this they have not forgot, and do not fail to recriminate; they brand him with a name the most opprobrious in their language, and expressive of the most dastardly cowardice. Some of them have said to

of Irish government, adopted in order to further the Protestant and English interest, and the severe penal code against the Catholics, though unsuccessful in converting the natives to the reformed faith, nevertheless so coerced the mass of the people, as to prevent any open insurrection. By degrees, however, as population increased, the closer contact of the miserable peasantry led them to form local and limited combinations, for the purpose of shaking off those burdens which pressed most heavily upon them, but which, when thinly scattered over the face of the country, they could not hope successfully to resist*. The first of the risings which originated in this new state of things, and which had little or nothing in common with the previous troubles in Ireland, (such as the great rebellion of 1641,) was that of the *Whiteboys*, or *Levellers*, in 1761. These insurgents were so called, because they wore *white shirts* over their clothes, as a badge of their union, and because one of their principal objects was the *levelling* of the fences of newly-inclosed waste land. The immediate cause of their rising is stated as follows by Dr. Curry, the earliest and best informed writer on the subject :—

me, 'We expect little good from any of the race of *Sheemas-a-caccagh*.'" P. 273. See also Curry's *Review of the Civil Wars in Ireland*, vol. ii. p. 252, 260. On the tranquillity of Ireland about the middle of the eighteenth century, see a pamphlet by Dr. Lucas, entitled "A short but true History of the Rise, Progress, and happy Suppression of several late Insurrections, commonly called *Rebellions*, in Ireland." Reprinted. Dublin, 1760.

* It appears, from accounts which cannot be very wide of the truth, that the number of Catholics in Ireland, in 1733, was less than a million and a half. See *Edinburgh Review*, No. 124, p. 514. Towards 1790, the population of Ireland was about four millions; of which about three millions were Catholics. *London Review*, No. 3, p. 230. In 1834 the number of Catholics in Ireland was 6,427,712, as returned by the Commissioners of Public Instruction. It has therefore more than quadrupled itself in a century.

"About this time great tumults had been raised, and some outrages committed in different parts of Munster, by cottiers and others of the lowest class of its inhabitants, occasioned by the tyranny and rapacity of their landlords. These landlords had set their lands to cottiers far above their value, and, to lighten their burden, had allowed commonage to their tenants. Afterwards, in despite of all equity, contrary to all compacts, the landlords inclosed those commons*, and precluded their unhappy tenants from the only means of making their bargains tolerable. Another cause of these people's discontents was the cruel exactions of tithe-mongers; these harpies squeezed out the very vitals of the people, and by process, citation, and sequestration, dragged from them the little which the landlord had left them. These are the real causes of the late tumults in Munster, and it may be safely affirmed that there is no nation that has not had tumults from such or the like causes, without religion coming into question†."

A letter from a gentleman in Youghall to his son in London (printed in the *Gentleman's Magazine* for April, 1762), likewise states, that the Whiteboys "all along pretended that their assembling was to do justice to the poor, by restoring the ancient commons and redressing other grievances ‡."

* By *commons* is here doubtless meant merely *waste land*. If there had been a right of commonage over these wastes, and they had not been private property, the landlords would have been unable to inclose them without the consent of the commoners.

† Dr. Curry's *State of the Catholics of Ireland*, in his *Review of the Civil Wars in Ireland*, vol. ii. pp. 271-2, (London, 1786). Dr. Curry was the author of an anonymous pamphlet, published in 1766, entitled, "A candid Enquiry into the Causes and Motives of the late Riots in Munster; together with a brief Narrative of the Proceedings against the Rioters, in a Letter to a Noble Lord in England," which he in part repeats in the extract given in the text. See the Preface to his *Review*, p. iv., and for the high opinion of this tract entertained by impartial persons, see O'Connor's *History of the Irish Catholics*, Part I., p. 318-9.

‡ This statement occurs in the *Gentleman's Magazine*, vol. xxxii., in "A succinct Account of a Set of Miscreants in the Counties of Waterford, Cork, Limerick, and Tipperary, called Boughleen Bawins (*i. e.*

The following letter from Mr. O'Connor to Dr. Curry, dated 4th June, 1762, and therefore written soon after

White Boys). Being an Extract of a Letter from a Gentleman residing in Youghall to his Son in London." The following is a further extract from this authentic account of the proceedings of the early Whiteboys:—

" Their first rise was in October last [1761], and they have ever since been increasing : they then, and all along, pretended that their assembling was to do justice to the poor, by restoring the ancient commons and redressing other grievances ; for which purpose they always assemble in the night with their shirts over their clothes, which caused them to be called White Boys. Their number in the county of Waterford is computed at 600 or 700. They have done infinite damage in the county, levelling ditches and stone-walls, rooting up orchards, &c. On the 11th ult. [March, 1762], I saw several ditches they had levelled, part of an orchard destroyed, and two graves they had dug on the road between Clonmel and Cappoquin ; the graves were to hold those that did not comply with their orders. Some time before this, they came by night into the town (a large village) of Cappoquin, where is a horse-barrack, drew up in the green near the barrack, fired several shots, marched by the sentry with their piper, playing *the Lad with the White Cockade*. The 13th, I saw a bier near Affane Church, which they had carried [caused?] two days before to be made, to carry people alive, and bury them in those graves. An esquire at Cappoquin, when a bachelor, agreed with a peasant for the use of his daughter, for which he passed the peasant his bond for 100*l.* ; but on the esquire's entering the matrimonial state, he was compelled to take up his bond. They wrote to the peasant to refund the money, upon pain of having his tongue drawn through his under-jaw, and fastened with a skewer. On the 14th they assembled at Lismore (between Cappoquin and Tallow), posted an advertisement on the door of the post-office, requiring the inhabitants to have their houses illuminated, and a certain number of horses bridled and saddled, ready for them to mount against next night ; which was complied with. On the night of the 10th they mounted, went to Tallow Bridge (near Tallow), where they levelled the ditches of several fine parks, and cut down a number of full-grown ash-trees (knee high) ; they then proceeded to Tallow ; the horse marched to the West Bridge, where the commander called out, *Halt, to the right about*, and then proceeded into the market-place in a smart trot. They broke open the Marshalsea, discharged the debtors ; sent an advertisement to the justice, to lower the price of provisions one-half ; which he tamely complied with, though a troop and a half of dragoons were quartered very near him. On the 22nd they came to the Ferry-point opposite this town, levelled the ditches of a small park opposite the back-window of my parlour, and a musket-shot off the town ; they made a large fire, dug a grave, and erected a gallows over it, fired several shots, and at each discharge huzza'd ; and

the first outbreak of these disturbances, gives a perfectly similar account :—

“ In relation to the disorders of the poor in Munster (he says), I assured him (Dr. Warner) that they proceeded from the throwing of that province, like Connaught and Leinster, into pasture-inclosures, which excluded these poor and reduced them into a state of desperation, and into that rage which despair on such occasions will dictate. I told him that the whole proceeded from laws which leave the better sort of our people no occupation in the inland counties but pasturage alone ; agriculture being virtually forbid on account of the shortness of their tenures. That in such a state papists worry papists, the rich excluding the poorer sort to make room for flocks and herds, which are easily converted into ready money and find a ready market*.”

Arthur Young, in his description of the early Whiteboys, exactly agrees with these accounts ; as he states that “ they began in Tipperary, and were owing to some inclosures of commons which they threw down, levelling the ditches ; and were first known by the name of Levellers †.”

A more detailed statement of the causes of the Whiteboy risings in 1762, but precisely agreeing with the accounts just quoted, is given by Crawford, in his *History of Ireland*, published in 1783. After having

sent several audacious letters to the inhabitants of this town, threatening to pull down several houses, particularly a handsome house at a small distance, which they said was built upon the waste. . . . The 29th, the ditches of Tirkelling and Ballydaniel, near Tallow, were levelled : 500 men in a day could not repair the damage.”—Pp. 182-3.

* O'Connor's *History of the Irish Catholics*, part I. pp. 287-8. On the extent of pasturage in Ireland during the last century, see Newenham's *Inquiry into the Population of Ireland*, pp. 44—57.

† Page 75.—Arthur Young may be considered as an original authority on this subject, inasmuch as he travelled in the South of Ireland in 1776, and collected his information on the spot.

mentioned that there had been for several years preceding 1761 a murrain amongst horned cattle in England, whither it had spread from Germany and Holland, he proceeds to say—

“ From this cause a foreign demand for butter and beef became uncommonly great. In proportion these articles rose in value, until at last they grew to an immoderate price. Hence ground appropriated to grazing was more valuable than that under tillage. Cottiers being tenants at will were everywhere dispossessed of their little holdings, which, in considerable tracts, were set by the landlords to monopolizers*, who, by feeding cattle, were enabled to pay them a higher rent. In this manner even whole baronies were laid open to pasturage. Pressed by want of subsistence, numbers of the poor fled to large cities, or emigrated to foreign countries†. Those who remained took small spots of land consisting of about an acre each, at an exorbitant price, [from] which they laboured to procure, if possible, the means of support for themselves and their miserable families. To lessen somewhat the burdens by which they were oppressed, some of their landlords granted them the liberty of commonage. The relief was but temporary, for some time after, in breach of justice and positive compact, they were deprived of this privilege. Tithes, and the small price given for labour, which, notwithstanding the increased price of necessaries, did not exceed the wages given in the days of Elizabeth, were circumstances which aggravated their distresses. As the calamities of these unhappy creatures arose principally from the extravagant price of land, a number of them, either ignorant or incapable of the

* Plowden, *Hist. Review*, vol. i. p. 337, states that the early White-boys called these monopolizers *land pirates*. *Land shark* is a word now used with a similar sense in Ireland.

† The number of those who emigrated was probably very inconsiderable. The Catholic peasantry of the South were too poor to raise the means of emigrating to America. The Protestant peasantry of the North were better able to emigrate, as will appear lower down, in the account of the Steelboys.

proper mode of redress, had recourse to illegal expedients, to oblige the proprietors to set it on more reasonable terms*."

The consolidation of farms, and the increase of pasturage caused by a rise in the price of cattle, and the consequent dispossession of many cottier tenants, appear to have led to disturbances exactly similar in their character to those which occurred in England in the reign of Edward VI. ; and to mark a corresponding change in the manner of cultivating the soil †. The same transition likewise took place in Scotland towards the end of the last century ; when the surplus rural population was absorbed into the towns, and employed in mechanical trades, or in the newly-established manufactures ; so that the change was made without any violent reaction. In England and Scotland the new state of things has become permanent ; in Ireland (as we shall have occasion to show) this transition has never been effected, and it is to prevent its completion that the Whiteboy combinations have principally been organized.

The proceedings of the Whiteboys, at their first appearance, may also be taken as evidence of the objects which they had in view ; since they seem, at first, to have met with scarcely any opposition, the rural police of Ireland having been in about the same state in 1761 as that of England was in the disturbances of 1830. They are stated to have gone about the country in large

* History of Ireland, in a series of Letters addressed to Wm. Hamilton, Esq., by Wm. Crawford, A.M., one of the Chaplains of the First Tyrone Regiment (Dedicated to Lord Charlemont). Strabane, 1783. vol. ii. p. 317-8.

† See the beginning of Hume's 35th chapter, and Campbell's Phil. Survey of Ireland, p. 294-7. The conspiring to put down *all* inclosures was ruled to be high treason in Burton's case, 39 Eliz. See 1 Hale's P. C. 132, 153.

bodies, throwing down fences, rooting up orchards, cutting down trees, destroying bullocks*, and doing various injuries to property. The general character of their proceedings may be collected from the preamble of an Irish Act passed in 1775, "to prevent and punish tumultuous risings of persons," (commonly called the Whiteboy Act,) which recites that—

"It has frequently happened of late years, in different parts of this kingdom, that several persons calling themselves Whiteboys, and others, as well by night as in the daytime, have in a riotous, disorderly, and tumultuous manner, assembled together, and have abused and injured the persons, habitations, and properties of many of his Majesty's loyal and faithful subjects, and have taken away and carried away their horses and arms, and have compelled them to surrender up, quit, and leave their habitations, farms, and places of abode; and have, with threats and violence, imposed sundry oaths and solemn declarations contrary to law, and solicited several of his Majesty's subjects, by threats and promises, to join with them in such their mischievous and iniquitous proceedings; and have also sent threatening and incendiary letters to several persons, to the great terror of his Majesty's peaceable subjects; and have taken upon themselves to obstruct the exportation of corn, grain, meal, malt and flour, and to destroy or damage the same when intended for exportation; and have also destroyed mills, granaries, and storehouses provided for the keeping of corn; which, if not effectually prevented, must become dangerous to the general peace of this kingdom and his Majesty's government therein†."

It appears, both from this recital and from accounts of particular outrages, that from the very beginning

* This is stated by Crawford, vol. ii., p. 318. The Whiteboys of 1762 destroyed bullocks with the same view that the Terry Alts of 1832 turned up grass land, viz., in order that the ground being under tillage might be let at a cheaper rate for setting potatoes.

† 15 & 16 Geo. III., c. 21.

the Whiteboys used the same means for enforcing their will as have since been unhappily so common in Ireland; intimidation, by threatening notices, of persons who refused to join their combination, or who disobeyed their orders; and punishment for disobedience by destruction of property, personal violence or murder. The singular cruelty which has characterized the combinations of Ireland appears very early in the proceedings of the Whiteboys. Thus we are told that they ordered a peasant at Cappoquin to refund some money upon pain of having his tongue drawn through his under-jaw, and fastened with a skewer*. The following affidavit of William Abraham, a Protestant farmer of Bohereed, in Queen's County, sworn before a justice of that county on the 27th December, 1774, may probably be relied on as a statement of the means then employed by some of the Whiteboys:—

“ That a report had prevailed for some time that the Whiteboys intended to carry off examinant the night of the 15th instant; that a party of them, blowing horns, and armed with muskets, and dressed in white shirts and frocks, entered his house, and put him behind one of them on horseback; that his wife, endeavouring to prevent their doing so, received a stroke of a musket in the small of the back; that before examinant was mounted, they gave him a violent blow in the head with the lock and hammer of a gun, which inflicted a deep wound therein, and rendered him stupid and senseless; they carried him off mounted behind one of them, with only his breeches and a loose great coat on; that in their progress, they *beat, battered, and abused him with their guns, and the man behind whom he rode wounded him severely in the legs, with long nails in his heels, commonly called heel spurs. They carried him ten miles off, to a place near Ballyconra, where

* Gentleman's Magazine, vol. xxxii, p. 162, quoted above, p. 5.

they held a consultation whether they should cut out his tongue, or pull out his eyes; and at last agreed to cut off his ears, which they did with circumstances of great barbarity; that after having administered to him many unlawful oaths, they buried him up to his chin, though mangled, in a grave lined with furze*."

The following is Arthur Young's account of the proceedings of the Whiteboys, soon after their first appearance:—

"It was a common practice with them to go in parties about the country, swearing many to be true to them, and forcing them to join by menaces, which they very often carried into execution. At last they set up to be general redressers of grievances, punished all obnoxious persons, and having taken the administration of justice into their own hands, were not very exact in the distribution of it, forced masters to release their apprentices, carried off the daughters of rich farmers, ravished them into marriages, of which four instances happened in a fortnight. They levied sums of money on the middling and lower farmers, in order to support their cause, by paying attornies, &c., in defending prosecutions against them; and many of them subsisted for some years without work, supported by these contributions. Sometimes they committed several considerable robberies, breaking into houses, and taking the money under pretence of redressing grievances. In the course of these outrages, they burnt several houses, and destroyed the whole substance of men obnoxious to them. The barbarities they committed were shocking. One of their usual punishments (and by no means the most severe), was taking people out of their beds, carrying them naked in winter on horseback for some distance, and burying them up to their chin in a hole filled with briars, not forgetting to cut off one* of their ears. In this manner the evil existed for eight or ten

* Musgrave's *Rebellions in Ireland*, Appendix I., 8. Crawford, vol. ii., p. 241, states that the Whiteboys placed men quite naked on horseback, on saddles covered with the skins of hedgehogs.

years, during which time the gentlemen of the country took some measures to quell them. Many of the magistrates were active in apprehending them; but the want of evidence prevented punishment, for many who even suffered by them had not spirit to prosecute. The gentlemen of the country had frequent expeditions to discover them in arms; but their intelligence was so uncommonly good, by their influence over the common people, that not one party that ever went out in quest of them was successful. Government offered very large rewards for informations, which brought a few every year to the gallows, without any radical cure for the evil. The reason why it was not more effective was, the necessity of any person who gave evidence against them quitting their houses and country, or remaining exposed to their resentment*."

In this account we have all the main features of the Whiteboy system as it has existed within the last ten years; the swearing in of the peasantry, and the compelling them, by threats, to join the association; the enforcement of the will of the insurgents by severe inflictions; and the intimidation of witnesses and prosecutors.

The principal members of the government in Dublin appear to have shown as much forbearance and impartiality in their proceedings against the early Whiteboys as was consistent with their situation. They sent some eminent lawyers, of distinguished loyalty, to inquire, on the spot, into the true causes and circumstances of the riots; and upon the report of these persons (afterwards confirmed by the judges of assize), was grounded an official declaration inserted in the Dublin and London Gazettes, that—

"The authors of these disturbances have consisted indiscriminately of persons of different persuasions, and that no

* P. 75-6.

marks of disaffection to his Majesty's person or government have been discovered upon this occasion in any class of people*."

The first five of the Whiteboys executed at Waterford for being present at the burning of a cabin, declared before their execution, that, "in all these tumults, it never entered into their thoughts to do anything against the king and government." The government, however, though they might have been inclined to justice, were unable to restrain the local and subordinate authorities from raising the alarm of a popish rebellion, and from construing the scattered outrages of a suffering peasantry into a political and religious insurrection, supported by French influence, and having for its object the restoration of the Stuarts, and of the Catholic religion. Gentlemen of high rank, little likely to be found in the ranks of a peasant army, were publicly accused of being concerned in these disturbances, merely because they were Catholics, and were summoned to Dublin in order to give bail for their good conduct†.

The person who, in these disturbances, was the chief object of the enmity of the local authorities, on the alleged ground that he had incited the rioters, or assisted them with French money, was Nicholas Sheehy, parish priest of Clogheen, in the county of Tipperary. "This man (says Dr. Curry), was giddy and officious, but not ill-meaning, with somewhat of a quixotish cast of mind towards relieving all those within his district whom he fancied to be injured or oppressed, and setting aside his unavoidable connexion with those rioters, several hundred of whom were his parishioners, he was

* Annual Register for 1762, p. 84.

† Crawford's Hist. of Ireland, vol. ii, p. 318.

a clergyman of an unimpeached character in all other respects." During the disturbances he had more than once been indicted and tried as a popish priest, but acquitted for want of evidence. At last, in 1765, the government were prevailed on to issue a proclamation offering a reward of 300*l.* for his apprehension, as guilty of high treason. As soon as Sheehy heard of this proclamation, he wrote to the government, offering to surrender himself on condition that he might be tried, not at Clonmel, but at Dublin. This proposal having been accepted, he was tried by the Court of King's Bench in Dublin, for rebellion, and (says Dr. Curry), "after a severe scrutiny of fourteen hours, he was honourably acquitted; no evidence having appeared against him but a blackguard boy, a common prostitute, and an impeached thief, all brought out of Clonmel gaol, and bribed for the purpose of witnessing against him*."

Sheehy's enemies, however, were not daunted by this failure. One Bridge, who had given evidence for the Crown in some former trials against the Whiteboys, and who had recently disappeared, (having probably left the country for security,) was said to have been murdered in revenge by the associates of those against whom he had informed, and Sheehy was accused of his murder. Sheehy was accordingly sent to Clonmel, and was there tried, convicted, and executed upon the evidence of the same three witnesses whose evidence had just been disbelieved by the Dublin jury; although Bridge's body was never found, and two witnesses of good character swore that he had privately left the

* Curry's Review, vol. ii., 275.

kingdom a short time before he was said to have been murdered*.

It is unnecessary to give further particulars of the intimidation and violence practised by persons in authority in order to accomplish this judicial murder; as the statement of these few facts is sufficient to show to what extremities of rigour the Irish government then proceeded in the treatment of suspected Whiteboys.

"Such (says Dr. Curry), during the space of three years, was the fearful and pitiable state of the Roman Catholics of Munster, and so general did the panic at length become, so many of the lower sort were already hanged, in gaol, or on the informers' lists, that the greatest part of the rest fled through the fear; so that the land lay untilld for want of hands to cultivate it, and a famine was with reason apprehended. As for the better sort, who had something to lose (and who for that reason were the persons chiefly aimed at by the managers of the prosecution), they were at the utmost loss how to dispose of themselves. If they left the country, their absence was construed into a proof of their guilt; if they remained in it, they were in imminent danger of having their lives sworn away by informers and approvers; for the suborning and corrupting of witnesses on that occasion was frequent and barefaced to a degree almost beyond belief†."

The alarm which the proceedings of the government had created among the peasantry may be inferred from

* O'Leary, in his answer to Bishop Woodward's pamphlet (London, 1787,) p. 20, states that Bridge was reported to have been afterwards seen alive in Newfoundland. Sheehy's innocence is confirmed by Dr. Campbell's opinion, *Phil. Survey*, p. 298. Dr. Thomas Campbell was a great admirer of Johnson, and he is mentioned by Boswell as being the author of this work, which he published anonymously. He was also the author of "*Strictures on the Ecclesiastical and Literary History of Ireland*," in the title-page of which book he is called Chancellor of St. Macartins, Clogher.

† *Ib.* p. 282-3.

the gratitude and surprise excited by the conduct of Mr. Justice Aston, who was sent on a special commission in 1762 to try the rioters in the counties of Limerick, Cork, and Tipperary.

"Aston (says Mr. Crawford) did his duty, but in the discharge of it would not violate the dictates of humanity. On his return from Dublin, he was witness to a sight most affecting, and which he must have beheld with the highest satisfaction. For above ten miles from Clonmel, both sides of the road were lined with men, women, and children, who, as he passed along, kneeled down and supplicated Heaven to bless him as their protector and guardian angel*."

Some vague rumours were also circulated as to the connexion of these disturbances with the intended French invasion of Ireland at the end of the reign of George II. That these reports were destitute of foundation, is proved by the simple fact, that the defeat of Conflans by Sir E. Hawke took place in 1759, and the landing of Thurot in Carrickfergus Bay in February, 1760; whereas the first risings of the Whiteboys did not occur till October, 1761†. It is not likely, if the

* Crawford, vol. ii. 318.

† The first rising of the Whiteboys is stated by the author of the letter in the Gentleman's Magazine, from Youghal, (himself in the midst of the disturbed district, and an eye-witness of their proceedings,) to have taken place in October 1761. (See above p. 5.) The lord-lieutenant's speech at the opening of the session, delivered on 22nd October, 1761, speaks of "the peaceable demeanour of the papists of this kingdom," and hopes that nothing may interrupt "that tranquillity which is desirable at all times, and at this season is particularly necessary to your welfare," without any allusion to recent disturbances. (7th Irish Com. Journals, p. 13.) But the lord-lieutenant, in his speech at the close of the session (30th April, 1762), alludes to recent tumults and riots of the lower sort of people in some distant quarters, which he hopes are wholly suppressed (*ib.* 173). It is clear, therefore, that the first Whiteboy risings took place between October 1761 and April 1762. Sir R. Musgrave, however, in his History of the Rebellions in Ireland, (p. 32,) places the

Catholic peasants of Munster had been armed, trained, and paid by the French, in order to co-operate with them in case of an invasion, that the landing of the French would have been effected in Ulster; and that the insurrection would have broken out nearly two years after the expedition had failed.

"I made many inquiries (says Arthur Young) into the origin of these disturbances, and found that no such thing as a Leveller or Whiteboy was heard of till 1760, which was long after the landing of Thurot, or the intended expedition of M. Conflans*; that no foreign coin was ever seen among them, though reports to the contrary were circulated †; and in all the evidence that was taken during ten or twelve years, in which time there appeared a variety of informers, none was ever taken, whose testimony could be relied on, that ever proved any foreign interposition. Those very few who attempted to favour it were of the most infamous and perjured characters‡. All the rest, whose interest it was to make the discovery, if they had known it, and who concealed nothing else, pretended to no such knowledge. No foreign money appeared; no arms of foreign construction; no presumptive proof whatever of such a connexion§."

first Whiteboy disturbances in 1759; which appears to be an intentional misrepresentation in order to make their rising coincide in time with Conflans' intended expedition, with which he states it was connected, and which falls in that year.

* In point of fact, the first Whiteboy rising did not occur till October, 1761. See the last note.

† Sir R. Musgrave, in his *History of Rebellions in Ireland*, p. 33, states that he was informed by the Marquis of Drogheda, who was sent with his regiment in 1762 to command a large district in Munster, that French money was found in the pockets of some of the Whiteboys killed by his soldiers in the county of Tipperary. If Lord Drogheda's informants were not mistaken, or if he was not deceived by them, it may be conjectured that some of the Irish soldiers in the French service may have brought some French money to Ireland after the peace of 1760.

‡ Such appears to have been the case with the persons whose depositions are given in Sir R. Musgrave's Appendix I. 1—7.

§ Tour in Ireland, p. 75. See also Hardy's *Life of Charlemont*, vol. i.,

The first disturbances of the Whiteboys, which were distinguished by the levelling of inclosures, and were chiefly directed against the landlords, having (as has been stated) begun near the end of 1761, lasted for several years, notwithstanding the exertions of the military and the severities of the criminal law*. They had, however, nearly ceased in Munster before 1770; but having re-appeared in the county of Kildare in 1775†, and in the county of Kilkenny and the Queen's County in 1775 and the following years‡, they continued with partial interruptions till 1785, when they spread to the districts in the south, where they had formerly prevailed. The Munster and Kilkenny insurgents of 1785 and the following years generally assumed the name of Rightboys; but their grievances, their proceedings, and their objects appear to have been nearly the same with those of their predecessors the Whiteboys, except that their enmity was more peculiarly directed against the clergy; and as the legal payment to the parson was more onerous than the

p. 171; Campbell's *Phil. Survey of Ireland*, p. 298; and Gordon's *History of Ireland*, vol. ii., p. 241. There seems in general to be a strong disposition to give credit, on insufficient grounds, to stories about the connexion of civil dissensions with foreign money and foreign agents. Thus, even in French writers of fair authority, we find the notions about the disturbances in the French Revolution being fomented by English agents, and "l'or de Pitt," repeated as if there was some foundation for them beyond the idle rumour of the day.

* O'Connor's *Hist. of the Irish Catholics*. Part I., pp. 285, 300, 311.

† *Ann. Regist.* 1775, p. 170.

‡ A pastoral letter of Dr. Troy, Roman Catholic Bishop of Ossory, against the Whiteboys, in Plowden's *Hist. Review*, vol. ii., part 2, App. No. 74, p. 51-2, is dated Kilkenny, 12 Nov. 1784, and mentions a previous excommunication of the Whiteboys, dated 17th October, 1779, and read in all the chapels of the diocese. Outrages of Whiteboys in the county of Kilkenny, are mentioned in 1775. *Ann. Reg.*, p. 92. Rightboys near Bandon occur in February, 1794: *Plowden*, vol. ii., part 1, p. 460.

voluntary payment to the priest, against the Protestant clergy.

The following authentic account of this Rightboy insurrection was given by the Attorney-General, Mr. Fitzgibbon, in a speech in the Irish House of Commons, upon a motion that the House resolve itself into a Committee to take into consideration that part of the Lord Lieutenant's speech which related to the commotions that had in some places disturbed the public tranquillity (31st January, 1787). After a few preliminary remarks, he proceeds to speak as follows on the recent disturbances :—

“ Their commencement was in one or two parishes in the county of Kerry, and they proceeded thus :—The people assembled in a mass-house, and there took an oath to obey the laws of Captain Right, and to starve the clergy. They then proceeded to the next parishes on the following Sunday, and there swore the people in the same manner, with this addition, that they (the people last sworn) should, on the ensuing Sunday, proceed to the chapels of their next neighbouring parishes, and swear the inhabitants of those parishes in like manner.

“ Proceeding in this manner, they very soon went through the province of Munster. The first object of their reformation was tithes ; they swore not to give more than a certain price per acre, not to take from the minister at a great price, not to assist, or allow him to be assisted, in drawing the tithe, and to permit no proctor. They next took upon them to prevent the collection of parish cesses, then to nominate parish clerks, and in some cases curates ; to say what church should or should not be repaired, and in one case to threaten that they would burn a new church if the old one was not given for a mass-house*. At last they proceeded to regulate the price of land, to raise the price of labour, and to oppose the collection of the hearth-money and other taxes.

* On this point see O'Leary's Defence, p. 57.

"In all their proceedings they have shown the greatest address, with a degree of caution and circumspection which is the more alarming as it demonstrates system and design. Bodies of 5000 of them have been seen to march through the country unarmed, and if met by any magistrate who had spirit to question them, they have not offered the smallest rudeness or offence; on the contrary, they have allowed persons charged with crimes to be taken from amongst them by the magistrates alone, unaided with any force. Wherever they went they found the people as ready to take an oath to cheat the clergy as they were to propose it; but if any one did resist, the torments which he was doomed to undergo were too horrible even for savages to be supposed guilty of. In the middle of the night he was dragged from his bed, and buried alive in a grave filled with thorns; or he was set naked on horseback, and tied to a saddle covered with thorns: in addition to this perhaps his ears were sawed off.

"Sir, there is this day an account received of two military men, who had exerted themselves in the line of their duty, being attacked by a body of Rightboys, and, I fear, murdered, for there is but little hope of their recovering from their wounds. The way in which the Rightboys perpetrated this crime was—the two men were walking together armed, they set a dog at them, when one of the men fired; he had no sooner thrown away his fire than a multitude rushed upon the two from behind the ditches, and wounded them in a most shocking manner.

"Now, Sir, upon the best inquiry that I have been able to make, it does not appear that there is the least ground to accuse the clergy of extortion. Far from receiving the tenth, I know of no instance in which they receive the twentieth part. I am very well acquainted with the province of Munster, and I know that it is impossible for human wretchedness to exceed that of the miserable peasantry in that province. I know that the unhappy tenantry are ground to powder by relentless landlords. I know that, far from being able to give the clergy their just dues, they have not food or raiment for themselves;

the landlord grasps the whole ; and sorry I am to add, that, not satisfied with the present extortion, some landlords have been so base as to instigate the insurgents to rob the clergy of their tithes, not in order to alleviate the distresses of the tenantry, but that they might add the clergy's share to the cruel rack-rents already paid.

" Sir, I fear it will require the utmost ability of Parliament to come to the root of those evils. The poor people of Munster live in a more abject state of poverty than human nature can be supposed able to bear ; their miseries are intolerable, but they do not originate with the clergy ; nor can the Legislature stand by and see them take the redress into their own hands. Nothing can be done for their benefit while the country remains in a state of anarchy*."

The first proceedings of the Whiteboys in Munster, such as the levelling of fences and the restoration of commons, were exclusively directed against the landlords, and were connected directly or indirectly with the payment of *rent*. The receivers of rent, however, whether landlords or middlemen, finding it easier to divert than to suppress the newly awakened spirit of resistance, encouraged or connived at the attempts which were soon made by the Whiteboys to withhold the payment of *tithe* ; a payment to which they themselves were equally liable.

Dr. Curry states, with respect to the earliest Whiteboy disturbances in Munster, that " it was well known that several Protestant gentlemen and magistrates of considerable influence in that province, did all along, for their own private ends, connive at, if not foment, these tumults †." It was, however, at a later period,

* Irish Debates, vol. vii. p. 57-9.

† Review, vol. ii. p. 272. A similar statement is made by Dr. Campbell:—" In order to divert their [*i. e.* the Whiteboys] attention from themselves, it became the policy of the landlord and grazier to cherish

during the tumults of the Rightboys, that this influence appears to have been most exerted. Thus in addition to the strong statement of the Attorney-General just cited, Mr. Lowther, in the same debate, says,—“the magistrates and landlords are accused, and, I fear, not without reason, as being one cause of the Whiteboy disturbances * :” and in another debate in the same year, Sir James Cotter, defending the conduct of the magistrates in the county of Cork, admits that “perhaps some have been base enough to connive at the excesses in hopes of raising their rents, by adding the clergy’s share to what they now receive †.” Even Dr. Woodward, the Protestant bishop of Cloyne, who wrote a pamphlet in 1787 (which attracted much attention at the time), to prove that the Whiteboys were actuated by systematic hostility to the Established Church, distinctly states that they were encouraged by the Protestant land-owners.

“The present proceeding (he says) is not a paroxysm of frenzy, originating with ignorant and rash peasants; but a dark and deep scheme, planned by men skilled in law and the artifices by which it may be evaded. These enemies to the public peace and the Protestant clergy (though nominal

or at least connive at, the spirit of curtailing the church of its pittance.” *Philosophical Survey of Ireland*, p. 305. This work was published in 1777; the Rightboy disturbances did not begin till 1785 or 6.

* *Irish Debates*, vol. vii. p. 61.

+ *Ib.* p. 24. The following account of the origin of the Whiteboys in Kilkenny is given by Mr. Mason, in a debate in 1786 :—“The Whiteboys in that county first began with opposing tithes; *no person gave himself any trouble about them.* They then proceeded to prevent the payment of rents, and for years a landlord could not distrain a tenant in that county, or set his lands but according to the will of the Whiteboys. At last, unused to opposition, they broke into the house of a gentleman, and murdered him. People then saw the danger; they thought it approached too near; they roused and exerted themselves, and the Whiteboys were suppressed.” *Debates*, vol. vi. p. 444.

Protestants), suggested to the farmers to enter into a combination, under the sanction of an oath, not to take their tithes or to assist any clergyman in drawing them. And a form of summons to the clergyman to draw, penned with legal accuracy, was printed at Cork, at the expense of a gentleman of rank and fortune; and many thousand copies of it circulated with diligence through the adjacent counties of Limerick, Kerry, and Tipperary*."

The Whiteboys of this period, however, did not content themselves simply with resistance to the payment of tithe, and intimidation of the individuals concerned in collecting it, but even carried their hostility so far as to attack the persons of the Protestant clergy. The bishop of Cloyne enumerates a long list of clergymen in his diocese and those of Ross and Cork, who had been threatened or assaulted by the Whiteboys.

The following may serve as specimens of these attacks:—"One (a dignitary in my cathedral) was forced to come out of his house at midnight, by a band of 150 ruffians, to swear that he would give up his legal rights; a gun being pointed close to his head whilst the oath was tendered, and a horse produced with a saddle full of spikes, on which he was to be mounted if he refused to swear." Another "was menaced (with dreadful imprecations) that he should meet with a *horrible reception*, if he did not obey their laws more punctually, though he by a public notice declared submission." Another "received a written message from the Whiteboys, declaring, with their usual imprecations, that if he intended such *villany* as to set tithe at the

* Present State of the Church of Ireland, p. 79. Similar statements are made in a pamphlet on the same side of the question, published in 1787, entitled "Advice to the Protestant Clergy of Ireland, &c. By a Layman of the Church of England."

old rates, they *had prepared a pitched shirt for him, in which they would set him on fire.*" "A clergyman, now resident in Cork, a fortnight since received a Whiteboy message, that his ears should be cropped or his tongue cut out of his mouth." "On the whole (continues the bishop), all the clergy in the extensive county of Cork (of whom only I speak with the support of authentic proofs), whose places of residence were in the country, were under continual alarm, and obliged to arm themselves in the best manner they could; and had they not yielded to the violence of the insurgents, I am persuaded, would have been personally ill-treated; perhaps buried in those graves which were in many places dug (professedly) for their reception*."

To so great an extent were the Protestant clergy of Munster the objects of popular attack at this period, that many of them fled from their parishes and took refuge in the large towns; and the Government, in the session of 1786, introduced a Bill 'to protect the persons, houses, and properties of rectors, vicars, and curates actually resident within the parishes†.' This Bill,

* *Present State of the Church of Ireland*, pp. 82-5. Grattan, in moving for a Committee to inquire into the state of tithes, in February 14, 1788, says,—"The most sanguinary laws on your statute books are tithe bills; the Whiteboy act is a tithe bill; the riot act a tithe bill." *Speeches*, vol. ii. p. 49. It is probably in allusion to the circumstances of this period that Dr. Doyle, in his evidence before the House of Commons' Committee on Irish tithes, states that "it is universally admitted that the first object of the Whiteboys was to dissolve the tithe system,"—a statement by no means true in a general sense. (Qu. 3044).

† *Irish Debates*, vol. vi. p. 400. In a debate on this bill, Lord Luttrell tells the following story: "A friend of mine, a few days since, after riding through Urlingford early in the morning, overtook, beyond that town, a person, who proved to be a clergyman, riding seemingly in pain, with his head muffled to a monstrous size, and bound over with a napkin. My friend addressed him, being a very compassionate man, and inquired

after several debates, was finally lost, upon an amendment moved by the Attorney-general; principally, as it would appear, because it proposed to levy a fine on the land of the parish where injury was inflicted on the clergyman.

Notwithstanding the appearance of religious hostility which this conduct of the Whiteboys bears, there can be no doubt that tithe was at this time objected to by the Irish peasant rather as being an oppressive fiscal burden, than as being paid to the Protestant clergyman; rather as being a payment *generally*, than as a payment to a *particular class of persons*. Having once begun a war against tithes, it was natural that they should extend it to the receivers of tithes; just as a war against rent would naturally become a war against landlords. The peasantry of the south of Ireland, finding themselves pressed by heavy burdens, sought to relieve themselves of the pressure, and naturally began with that charge where the power of exaction was the least.

"The fact is," said Mr. Ogle, in a debate on the Bill for protecting the persons of the Protestant clergy, "that the landed man of Ireland is the great extortioner. There is hardly an estate which is not let to the highest penny, and much above its value. The poor tenant feels the oppression, and, not knowing which way to turn, falls upon the clergy as

what was the matter. Ah! Sir, said he, did you see, as you rode through that town, two ears and a cheek nailed to a post? I did; said my friend. They were mine, the clergyman replied." P. 432. This story is not told as a jest: it is afterwards seriously alluded to by the Secretary, Mr. Hely Hutchinson, who applies to the clergyman the lines of Virgil—

———— populataque tempora raptis,
Auribus, et truncas inhonesto vulnere nares.

the weakest and most unprotected body of men. This is the true state of the case*."

"As to the peasantry of Munster," said the Attorney-general, in 1787, "it is impossible for them longer to exist in the extreme wretchedness under which they labour. A poor man is obliged to pay £6 for an acre of potato ground, which £6 he is obliged to work out with his landlord for 5*d.* a day †."

That the Whiteboys of 1787 were not stimulated by any religious sentiments in their opposition to tithe, further appears from their conduct to their own clergy; as they equally comprehend the priest's dues in their new scale. The following placard was at this time posted by them on the doors of churches and chapels:—

* Irish Debates, vol. vi. p. 435.

† Irish Debates, vol. vii. p. 63. The following statement of the condition of the Irish peasantry of this period occurs in a tract entitled "A Congratulatory Address to his Majesty from the Peasantry of Ireland, vulgarly denominated White Boys, or Right Boys." Dublin, 1786, p. 17.

"The rates paid by the cottagers in Ireland, particularly in the southern and western counties, for rents, dues, &c., will surprise the reader; they must appear almost improbable. The following statement was made on an average amongst several thousands of these people."

	£	s.	d.		£	s.	d.	
The cottager pays rent for his cottage per ann.	2	5	6	Each cottager is allowed 5d. per day, which amounts to 5s. less than he pays	7	12	6	
Expense of rent for potatoes	0	18	0	But not being employed more than a certain time in summer and winter.				
For grass	2	0	0	Wages in summer	3	4	9	
Turf	0	11	4½	In winter	2	11	10	
Hay	0	15	0					
Corn grinding	0	10	0					
Tax for one hearth	0	2	0					
Tythe for potatoes	0	3	3			5	16	7
do. corn	0	1	0	Deficiency in earning below his expenses	2	0	6	
do. turf	0	1	7½					
do. hay	0	3	3	This deficiency he is left to his own industry to make good at the time the iron-bound squire does not want his service."				
do. poultry	0	0	8					
Small dues	0	5	5					
Annual expenditure	7	17	1					

"You are hereby cautioned not to pay ministers tithes, only in the following manner, *viz.*, potatoes 4s. per acre, wheat and barley 1s. 6d. per acre, oats and meadows 1s. per acre. Roman Catholic clergy to receive for marriages 5s., for baptism 1s. 6d., for confession 6d. You are hereby warned not to pay clerk's money, or any other dues concerning marriages; be all sure not to go to any expense of your confessing turns, but let them partake of your own fare *."

Nor did the Whiteboys at this time confine themselves to regulating the dues to be paid to their own clergy; but they also, in many cases, attacked their persons. It is distinctly stated, more than once, by Mr. Hely Hutchinson, the Secretary of State, in the debate on the Bill for the Protection of the Protestant Clergy, that the Roman Catholic clergy had likewise suffered from the violence of the Whiteboys †. Several instances

* O'Leary's Defence, p. 147. The *clerk-money* mentioned in this notice is the money paid for the priest's clerk. The *confessing turns* are what are now called *stations*. Another table of this kind was promulgated in a paper signed "Wm. O'Driscoll, Secretary-General to the Munster Peasantry," dated 1st July, 1786—

"Resolved,—That the fickleness of the multitude makes it necessary for all and each of us to swear voluntarily not to pay priest or proctor more than as follows:—

Potatoes, 1st crop	6s.	per acre.			<i>s.</i>	<i>d.</i>
do, 2nd crop	4s.	"	Baptism		1	6
Wheat	4s.	"	Each family : confession		2	0
Barley	4s.	"	Parish priests—			
Oats	3s.	"	Funeral mass		1	0
Meadowing . .	2s.	"	Any other		1	0
Marriage . . .	5s.		Extreme unction . . .		1	0

See Address to the Nobility and Gentry of the Church of Ireland on the Commotions in the South respecting tithes. By a Layman. [Dr. Duigenan?] Dublin, 1786, p. 112.

† "The Roman Catholic clergy had been treated with the utmost cruelty by the same insurgents and rioters that had insulted and injured many of the Protestant clergy." Irish Debates, vol. vi., 409. In answer to an objection of Lord Luttrell's, he says:—"Had he attended an examination where I was present he would have seen it clearly proved, by clergymen of undoubted veracity, that the parishioners are in fault, and

of the maltreatment of priests by the rioters are mentioned by Mr. O'Leary.

"Was not a Father Burke (he says) obliged to quit his parish the same day that Archdeacon Tisdal quitted his? Were not balls fired at one Father Sheehy? Were not two clergymen, one a secular and the other a regular, robbed the same night of their wearing apparel? Another parish priest, a venerable old man, who was never charged with any extortions, and who, in my own presence, challenged his congregation to bring forward any charge against him, was robbed of what little he had to support him in his old age, even of his very bed. Another, on suspicion of having brought the army to his congregation to prevent the deluded people from swearing, was on the point of being torn limb from limb at his altar, had not a gentleman stepped forward and said, that he himself was the gentleman who had applied to the magistrate for that purpose. The gentleman himself narrowly escaped with his life, through the interposition of the Vicar-general, who had the presence of mind to step, with the crucifix in his hand, between the gentleman and the enraged multitude, crying out to them with a loud voice, 'I conjure you, in the name of that God whose image I hold, not to pollute his altar with murder *.'"

The hostility thus shown towards the priests by the Whiteboys was partly earned by their collection of dues, and partly by the activity which, from the be-

that their anger is not against the Protestant clergy only, but the Romish clergy also have fallen under their displeasure." *Ib.* p. 430. "He (the Secretary of State) observed that those disturbances did not proceed from religious prejudices, and that the Roman Catholic clergy had been equally ill-treated by those insurgents." *Ib.* p. 445.

* O'Leary's Defence, p. 43. Newenham (*View of Ireland*, p. 261) gives an incorrect statement of the contents of the pamphlet published in 1787 by Dr. Butler, the Roman Catholic archbishop of Cashel, in answer to Bishop Woodward. It contains no "account of the indignities and atrocities which the insurgents practised on the clergy of his communion," but consists only of theological remarks, in a few pages.

ginning, they showed as a body in opposing the White-boy combinations.

The Roman Catholic Bishop of Cloyne issued a circular letter to his clergy, dated March, 1762, earnestly requiring them to use all their influence as pastors, and to proceed with spiritual censures against the disturbers. An extract from this document will show the danger to which the priests exposed themselves in performing this thankless service in behalf of a hostile government.

“As to my order (the bishop says) concerning the general exhortation relative to those disturbances, I have sufficient testimony of its having been executed according to directions. But for the censures, the said frontier parish priests sent me a remonstrance, desiring they may be excused and dispensed from issuing any menaces of spiritual penalties, until such time as the clergy of the neighbouring dioceses should have proceeded to act in like manner, alleging for their excuse, that as they had been assured, and as it really appeared from all circumstances, the different bands of those nocturnal rioters were all entirely composed of the loose and desperate sort of people, of different professions and communions, who showed as little regard to religion as to morals; they apprehended immediate danger with regard to the safety of their persons, if they made themselves singular in proceeding to censures against a multitude of dissolute night-walkers, who had already given so many terrifying proofs of their rash dispositions, as well as of their disregard to all laws, and contempt of all characters *.”

Dr. Troy, the Roman Catholic Bishop of Ossory, likewise caused an excommunication of the Whiteboys to be read in all the chapels of his diocese in 1779; and five years later he circulated a pastoral letter

* O'Connor's History of the Irish Catholics, part i. app. no. ix. p. xxvi-ix.

against the Whiteboys, for which he received the formal thanks of the Lord Lieutenant, conveyed to him in a letter from the secretary*. It is stated in the Annual Register that, near the beginning of November, 1775, the Whiteboys, in a visit they paid to Johnstown, in the county of Kildare, "besides breaking the windows of the inhabitants, and other similar outrages, buried a priest to the neck, first inclosing him naked in brambles and thorns, and threatened the like usage to every priest they could lay hands on, on account of their endeavours to dissuade them from these wicked practices†."

In a petition intended to have been presented on behalf of the Irish Catholics, in 1787, when the clause for demolishing their chapels‡ was to be debated, it is alleged,—“That in the suppression of the disturbances which happened of late in the South of Ireland, the Catholic nobility and gentry, their prelates and inferior clergy, have been most active. That during these disturbances their chapels have been nailed up, their pastors abused and forced from their parishes, and no distinction made in the paroxysm of popular frenzy§.”

So great indeed was the alienation between the priests and their flocks, produced by the conduct of the former in opposing themselves to the rioters, that a Roman Catholic clergyman, who furnished Mr. Newenham with an interesting account of the state of his church in Ireland, considers that the influence of the priesthood over the people, which for some years had

* Plowden's Historical Review, vol. ii. part i. p. 107, and see above p. 16, *note*.

† Annual Register for 1775, p. 170.

‡ See Plowden's Historical Review, vol. ii. part i. p. 162.

§ O'Leary's Defence, p. 172.

been waning, was finally extinguished by the Whiteboy disturbances in 1786*; the very moment when opposition to tithes was at its height. The first effective resistance to the Whiteboys of Kilkenny appears to have been made by the Roman Catholic inhabitants of Ballyragget, who formed an armed association, and drove away with considerable loss, a large body of Whiteboys who attacked a house in the town †.

Upon the whole it is evident, from the conduct both of the Catholic gentry and clergy, and of the Whiteboys themselves, that the Munster disturbances at the end of the last century were wholly devoid of any religious character, and that, although they were carried on by Catholics, they were not intended to serve the cause of Catholicism: in which respect (as will be shown hereafter) they agree with the Whiteboy disturbances of later times.

A few years after the first rising of the Catholic

* Extract of a letter from a Roman Catholic clergyman, of the diocese of Cork, to Mr. Newenham, dated 12th June, 1806:—

"The influence which the clergy formerly possessed over their flocks, and which was for a long series of years proverbial, was considerably diminished by the relaxation of the popery laws; it thenceforward continued gradually to decline, and received the *coup de grace* by the Whiteboy disturbances in 1786. At that period, not only all former influence was lost, but even that confidence in their clergy, without which all their exertions must prove abortive, ceased in a great measure to exist among the people. Nor was it till the rebellion [of 1798] and its consequent irritations and antipathies opened their eyes, that this confidence began again to revive. The people then perceived that their priests were, in common with themselves, objects of persecution to one party, and of disregard and derision to the other; and that, though some of them had been unfortunately implicated, and some few deeply engaged, in the rebellion, *all* were accused or suspected, and all condemned, by party enthusiasm, to one general comprehensive indiscriminate execration." Newenham's View of Ireland, App. p. 41.

† A. Young's Tour in Ireland, p. 77. Annual Register for 1775, p. 92. The attack was made on 21st January, 1775.

peasantry of the south, there occurred a disturbance among the Protestant peasants of the north, though wholly unconnected with it, and springing from local causes. It seems that the distribution of the labour which each housekeeper was bound to contribute to the repair of roads was abused by the landowners; that the rich had been exempted, and that the work done had been bestowed on roads more beneficial to individuals than to the public.

"At length (says Dr. Campbell), in the year 1764*, in the most populous, manufacturing, and consequently civilized, part of the province of Ulster, the inhabitants of one parish refused to make more of what they called *job roads*. They rose almost to a man, and from the oaken branches which they wore in their hats, were denominated *Oakboys*. The discontent being as general as the grievance, the contagion seized the neighbouring parishes. From parishes it flew to baronies, and from baronies to counties, till at length the greater part of the province was engaged†."

The first object of these insurgents was to produce a more equal distribution of the burden of maintaining the roads; the second, to deprive the clergy of a portion of their tithe; the third, to regulate the price of land, especially of peat-bogs ‡.

"They appeared (says Hardy, in his *Life of Lord Charlemont*) in bodies of four or five hundred, headed, it is said, by farmers of respectable property. According to the ancient practice of

* Hardy, in his *Life of Lord Charlemont*, p. 94 quarto ed., gives 1763 as the year of the rising of the Oakboys. The same date is given by Gordon, *History of Ireland*, vol. ii. p. 242.

† Phil. Survey of Ireland, p. 309.

‡ Ibid. p. 310. "The exactions of the clergy in their collection of tithes, and still more the heavy taxes on the country, and the making and repairing of roads, were, according to Lord Charlemont, the principal causes of these disturbances." Hardy, p. 74.

all insurgents in Ireland, they obliged such obnoxious persons, clergy or laity, as fell into their hands, to swear that the former should not levy more than a certain proportion of tithe; and the latter, that they would not assess the county at more than a stipulated rate. . . . It is to be observed, that though they talked much, though they insulted several gentlemen, erected gallowses, and menaced ineffable perdition to all their enemies, no violent cruelty was exercised, as Lord Charlemont said, nor was a single life lost, or any person maimed, in the county of Armagh; a species of conduct totally opposite to that of the southern insurgents, but which his Lordship ascribed, not to any diversity of religion, but to the oppression under which the unfortunate creatures in the south laboured. 'A rebellion of slaves (continued he) is always more bloody than an insurrection of freemen.'

This Oakboy disturbance was easily quelled by the King's troops, in five or six weeks after its commencement, and with the loss of only two or three lives. In the following session the law with regard to roads was altered, and with the cause of discontent all disturbance was removed.

About eight years afterwards, the neighbouring counties of Antrim and Down were the theatre of a disturbance closely resembling in its origin and character the Whiteboy risings in the south, already described.

"In the government of Lord Townshend, (says Mr. Gordon, in his History of Ireland,) a part of Ulster began to be disturbed by an insurrection which, originating from a local cause, yet a severe grievance, was much less extensive, but vastly more bloody and of longer duration, than that of the Hearts of Oak. An estate in the county of Antrim, a part of the vast possessions of an absentee nobleman, the Marquis of Donegal, was proposed, when its leases had expired, to be let only to those who could pay large fines; and the agent of the Marquis was said to have exacted extravagant fees on his own account also.

Numbers of the former tenants, neither able to pay the fines nor the rents demanded by those who, on payment of fines and fees, took leases over them, were dispossessed of their tenements, and left without means of subsistence. Rendered thus desperate, they maimed the cattle of those who had taken their lands, committed other outrages, and, to express a firmness of resolution, called themselves *Hearts of Steel*. To rescue one of the number, confined on a charge of felony in Belfast, some thousands of peasants, who neither before nor after took any part in the insurrection, marched with the Steelmen into the town, and received the prisoner from the military guard; the officers of which were fortunately persuaded by a respectable physician to his liberation, to prevent the ruinous consequences of a desperate battle.

"The association of the Steelmen extended into the neighbouring counties, augmented by distressed or discontented peasants, who were not affected immediately by the original grievance. By the exertions of the military some were taken, and tried at Carrickfergus. As they were acquitted from the supposed partiality of the witnesses and jury, an Act of Parliament was passed in March, 1772, ordering their trials to be held in counties different from those in which their offences were committed. Some, in consequence, were carried to Dublin, but were there acquitted, from prejudices entertained against a law so unconstitutional. In the December of 1773, in the administration of Lord Harcourt, the obnoxious Act was repealed. From a sense of the evil consequences of disorder, insurgents tried in their respective counties were now condemned and executed. The insurrection was totally quelled, but its effects were long baneful. So great and wide was the discontent, that many thousands of Protestants emigrated from those parts of Ulster to the American settlements, where they soon appeared in arms against the British Government, and contributed powerfully, by their zeal and valour, to the separation of the American colonies from the empire of Great Britain *."

* Gordon's History of Ireland, vol. ii. 250, 251. "The rising of the

About the year 1785 the north was again disquieted by tumults arising from religious and political animosity, and not from any local grievance. The Protestant party began by visiting the houses of Catholics, in order to search for arms; and, from the time when these visits were made, they derived their name of *Peep* or *Break-of-day-Boys**. They did not, however, confine themselves simply to searching for arms, but attacked the houses and chapels of the Catholics, sometimes burning the building, and sometimes destroying all the furniture and property contained in it†. The Catholics, on the other hand, organized themselves under the name of *Defenders*, and during a series of years many violent conflicts took place between the two parties, who were sometimes engaged to the extent

Steelboys was owing, as they said, to the increase of rents, and complaints of general oppression; but Mr. Waring remarked that the pardons which were granted to the Oakboys, a few years before, were principally the cause of those new disturbances." Warrenstown, Co. Down. A. Young's Tour in Ireland, p. 112: and see Campbell's Phil. Survey, p. 311, and Crawford's History of Ireland, vol. ii. p. 323-6.

* Plowden's Historical Review, vol. ii. part i. p. 200, and see Gordon's History of Ireland, vol. ii. p. 334.

† The destruction of all the moveables and furniture in a house was termed "wrecking." See the evidence of Mr. James Christie, a quaker, who lived in the county of Down at the end of the last century, before the Commons' Committee on Orange Lodges in 1835, Nos. 5567-9. "There is one thing I should just mention (Mr. Christie says), that, at the time when the wrecking of the Catholic chapels took place in my neighbourhood, it was observed by myself and many others, that while it was lying uncovered, the Catholics, no matter how severe the weather, attended more attentively to their duty during that time than was observable when they had a good house to go into; and in my opinion the old adage was fully verified, that 'the blood of the martyrs is the seed of the church;' persecute a man for his religion and it will make him more strongly riveted to it. I passed by the chapels in the winter time, when they had to kneel down in the snow, six inches deep, and I really pitied them; and it was remarked by myself, and by others, that they were more attentive in attending their places of worship after the chapel was burnt than previously, when the chapel was in good order." No. 5707.

even of thousands of armed men. The combats of these factions began in the county of Armagh, whence they spread to the neighbouring districts. The Peep-of-day-Boys, in 1795, or soon afterwards, changed their appellation, and were called Orange Boys, or Orange Men*. The Defenders having originally been (as their name purported) a defensive, soon became an aggressive body; they extended their ramifications to counties where there were no strong bodies of Protestants to alarm them, and in many cases they became mere gangs of robbers, breaking into and plundering houses, and committing other outrages†. The Secret Committee of the Lords, in 1793, reported that the Defenders of that time "were all, as far as the committee could discover, of the Roman Catholic persuasion; in general, poor, ignorant, labouring men, sworn to secrecy, and impressed with an opinion that they were assisting the Catholic cause; in other respects, they did not appear to have any distinct particular object in view, but they talked of being relieved from hearth-money, tithes, county-cesses, and of lowering their rents‡."

At length the Defenders were partially dissolved, and partly absorbed into the body of United Irishmen§, till they were finally lost in the more important movements which gave rise to the rebellion of 1798; since which time their society has been revived under the name of *Ribbonmen*.

* Plowden, Hist. Rev. p. 536, and see Christie, Evidence on Orange Lodges, No. 5575.

† Plowden, *ibid.* pp. 437, 460, 537.

‡ Plowden, *ibid.* p. 389.

§ Plowden, p. 570. Several particulars respecting the outrages committed by these Protestant and Catholic parties at the end of the last century will be found in the evidence taken by the Committee on Orange Lodges in last session.

This rebellion (as is well known) was originally organized by Presbyterians in Belfast, and sprang from a sympathy with the French Revolution; the object of its original promoters being to make Ireland, with the assistance of France, an *independent republic*. When it spread to the south-eastern counties, being an insurrection of the rest of the community against the governing class, it necessarily assumed the character of a war of Catholics against Protestants*; which alarmed the Presbyterians of the north, and deterred them from further participation in the rebellion of which they themselves had been the originators. As this movement was purely of a political nature,—a rising intended to be general, and to produce a total change in the form of government, it has no connexion with the class of disturbances of which it is proposed to give an account in the present work†.

* See Lord Kingston's evidence before the Lords' Committee on the state of Ireland, 1825, p. 428; and Mr. O'Connell's before the Commons' Committee, p. 73.

† The following extract from Mr. O'Driscoll's *Views of Ireland* is curious as showing that, in joining in the rebellion, the Irish peasant did not look beyond the alpha and omega of his grievances—land.

"The Irish peasantry received slowly and imperfectly the ideas which were attempted with so much pains to be impressed upon them. They understood nothing of theories of government. The word liberty, which was in every one's mouth, imported nothing with them but freedom from the old annoyance of tithes and taxes. It was no more than the old system of Whiteboyism, in which they were surprised to find themselves joined by numbers of the higher ranks of society, and multitudes of the middle classes. They had been used to confederations of their own class; and, as in all cases of accession of allies, they soon began to extend their views beyond the old grievances of tithes and heavy assessments to the grievance of rent. Those who had land expected to hold it discharged of this as well as other incumbrances; those who had none, hoped to procure some on the like terms.

"But in the midst of these imaginations they never put off in idea their allegiance to the throne; and their leaders found it necessary to amuse them with a show of respect for kingly authority. This, too, was accord-

By the Union, carried in 1800, it was intended that a more equal system of government should be introduced into Ireland; by which the motives for resistance to the English influence would be weakened. The policy of its authors, though tardily and imperfectly followed, was at length adopted under the pressure of necessity; and the plan of administration pursued since the Union has at least prevented the existence of such widespread discontent and disaffection as prevailed in Ireland at the end of the last century.

The Union, however, only affected the surface of the Irish community; the under-currents of society still flowed in their former directions. To the peer or landholder, who lost his place in parliament; to the barrister, who found his profession inconsistent with a seat in an English House of Commons; to the various persons who were concerned in the management of parliamentary majorities, the distribution of places, and the exercise of ministerial influence; the loss of (what was termed) national independence must have produced a mighty change; but to the Munster or Connaught peasant, who still was forced to pay rent and tithe, to the same persons, at the same rates, and under the same laws, the change was only nominal, and scarcely had more influence on his condition than the contemporaneous transfer of the French sovereignty from the Directory to the First Consul. Accordingly we find that the local troubles arising from the misery

ing to the usual process of Whiteboyism; which in all its violence never was used to contemplate more than a redress of real and almost intolerable oppressions. Upon this occasion, stretching itself far as it did beyond its accustomed range, surrounded by temptations, and irritated with the difficulties and hazards of its enterprise, yet it failed not to respect the throne of the monarch."—Vol. ii., p. 205.

of the peasantry proceeded without interruption, and have continued to the present day.

The first disturbance in Ireland after the Union, not of a political nature, was that of the *Thrashers*, in 1806. At this time, "the entire province of Connaught, with the exception of one county, and two counties on the north-west circuit (Longford and Cavan), were overrun by insurgents so formidable, that the king's judges upon a special commission could not move through the country, except under a military escort; so formidable, that the sentence of the law could not be executed in one particular county town till a general officer had marched from a distant quarter, at the head of a strong force, to support the civil power*."

The Thrashers of Connaught, like the Whiteboys of Munster in 1786, appear to have had two principal objects in view, the regulation of the parson's tithe, and of the priest's dues†. The purposes of these insurgents and their proceedings are thus described by the Attorney-General in his opening speech at Sligo:—

"These persons have discovered that the existing laws are not to their mind; they have found out that there are errors in the state and in the church, and they have conceived that they are the proper persons to undertake the task of reforming them. But not satisfied with infringing the law in their own persons individually, they become associated for the purpose of saying that no person in the community shall dare to obey the law. So that the first act of those who profess to interfere upon principles of liberty, is to exercise compulsion over the consciences of others, and to say that no man shall presume to form an opinion for himself, nor act upon it, unless

* Chief Justice Bushe on the Maryborough Special Commission, p. 10.

† See above, p. 28.

it meet the approbation of these self-created reformers. The pretext upon which these illegal confederacies is framed is a repugnance to the payments in support of the legal establishment of the church of the country, and also of the fees which have been usually paid, without any law to enforce them, to the clergymen of the Catholic persuasion. The mode taken to accomplish this object has been by assembling themselves at night in disguise, sometimes with arms, going to the houses of such persons as refuse to associate themselves in their body, and, if necessary for their purpose, breaking open the houses of those persons, and robbing them of their property; inflicting torture upon those who become objects of their enmity; and, if necessary for the final completion of their designs, if any person be honest or bold enough to give information against them, the business which began in lawless combination is consummated by *murder**."

"The first object of the association (says Mr. Dennis Browne, at Castlebar) was the reduction of tithes and priests' dues; when it travelled into this part (Mayo), it assumed that and also another shape, that of attacking the wages of weavers and other artificers, and latterly farmers. In different stages of its progress it professed different objects; all kinds of payments, whether of tithes, industry, labour, or farming; assemblies of people collected in disguise, and wearing badges and armed, appeared in different parts of the country. It showed itself in posting up written notices exciting people to rebellion under various different pretences. When I took steps in different parts to stop the consequence of these notices by tearing them down and offering rewards, they adopted another mode of exciting disturbances, by delivering messages in the chapels, threatening the priests, and calling upon the congregations, that if they did not lower their dues, avoid the payment of tithes, and alter the wages of labourers, the Threshers would visit them, and that the priests might have their coffins

* Report of Proceedings under a Special Commission in the Counties of Sligo, Mayo, Leitrim, Longford, and Cavan, in December, 1806, by W. Ridgway, Barrister-at-Law, p. 9.

prepared, and that the flesh would be torn off their bones; which messages have had more effect than any mode which was before resorted to*."

An instance of the delivery of one of these messages occurs in a trial at Castlebar. One witness states that—

"He went to mass, and after Mr. Nolan came out to shake the holy water among the people there assembled, the prisoner said to the priest, that he was sworn to come to him, and told him that he should marry persons for half-a-guinea, baptize for nineteen-pence halfpenny, read mass for thirteen-pence, and at any house to which he came to confession, if he got hay and oats for his horse, to take it, but if not, to go away on pain of suffering for it."

Another witness gives a similar account:—

"When the prayers were over at mass, and the priest was shaking the holy water, the prisoner said he was sent with a message against his will to the priest. He said he was ordered to tell him not to charge more than half-a-guinea for marriage, thirteen-pence for mass, and nineteen-pence halfpenny for christening. He said he should lower his fees, and sinking his voice, said, 'if not, to have his coffin convenient†.'"

Mr. Serjeant Moore gives the following description of the confederacy of the Thrashers in the county of Longford, in his first speech on behalf of the Crown.

"Gentlemen, it seems to me that its general character is that of an association, certainly of very wicked and evil-designing persons, but not of any rank or influence in the community; and, what must be a consolation to the mind of every good subject, not, as I conceive, partaking of any political complexion, or confined to any particular party or persuasion of people. Their professed object is that of regulating the payment of tithes, and certain dues customarily taken by the

* Report of Proceedings, p. 134.

† Ibid. pp. 136—143.

clergymen of the Roman Catholic persuasion, and the rates and prices of manual and manufacturing labour. These appear, at least, to be their professed objects; and the great instruments by which they seek to attain their ends seem to me to be alternate terror and delusion, hope and fear, vain and wicked promises, daring and atrocious threats, amplified and false reports of the numbers, and strength, and success of the association, of the benefits which they profess to achieve, and of the grievances which they pretend to redress*."

In the year which followed the disturbances of the Threshers, the Insurrection Act, first passed in 1796, during the tumults of the Defenders, was renewed. The system of Whiteboy outrage and intimidation continued nevertheless still to prevail among the peasantry of the centre and south, and it broke out into open violence at various intervals.

"In 1807 the county of Limerick was alarmingly disturbed. In 1811 and 1812 the counties of Tipperary, Waterford, Kilkenny, Limerick, Westmeath, Roscommon, and King's County, became the theatre of the same sanguinary tumults. In 1815 a great part of the county of Tipperary, considerable portions of the King's County, and county of Westmeath, and the whole of that of Limerick, were placed under the Insurrection Act.

"The counties of Limerick and Tipperary, however, continued in a dreadful state, and they remained under the Insurrection Act until that Act, after a temporary renewal in 1817, finally expired in 1818.

"In 1817 part of the county of Louth was subjected to the Insurrection Act.

"In 1820 came the disturbance in the county of Galway; and in 1821, the actual deplorable outrages in that of Limerick†."

* Report of Proceedings, p. 275.

† Mr. Charles Grant's speech, 22nd April, 1822, on Sir John Newport's motion on the state of Ireland, pp. 6 and 7.

Since the troubles here alluded to (which originating in the Courtenay estate in the county of Limerick, spread over that and other adjoining counties, and lasted for several years), there have been the disturbances of the Terry Alts in the counties of Limerick and Clare, in the spring of 1831; and at a later period, the serious outrages which prevailed chiefly in the county of Kilkenny, and the King's and Queen's Counties, and which gave rise to the Coercion Act passed in 1833; renewed, with some alterations, in 1834, and finally reduced to a milder measure in 1835 (5 and 6 Wm. IV., c. 48).

CHAPTER II.

THE Irish House of Commons resolutely abstained from instituting any inquiry into the causes of the tumults among the peasantry in the last forty years before the Union * ; nor was it till the year 1824 that the local disturbances in Ireland were made the subject of a systematic parliamentary inquiry. Select Committees of both Houses of Parliament were appointed in that year to inquire into the nature of the Irish disturbances ; and having continued their labours in the following session, they collected a great mass of valuable evidence, on this and other questions connected with the state of Ireland. A Committee of the House of Commons in 1832, to whom a petition from the King's County, praying for a renewal of the Insurrection Act, was referred, likewise made an extensive inquiry into the causes and character of the disturbances in question. The investigations of these three Committees (together with the Papers on the state of Ireland laid on the table of both Houses of Parliament in 1834) have almost exhausted the subject ; and little now remains to be done, except to arrange and comment upon the evidence which has been thus obtained. In undertaking this task, I propose to consider the question under two general heads ; viz., 1st, the causes of Irish

* See 7th Irish Debates, pp. 37-8. The House even went so far in 1764 as to suppress a Report on the late insurrections in the North, which had been actually prepared, and which the Chairman of the Committee had begun to read. Irish Debates in 1763 and 1764, vol. ii. pp. 663-6.

disturbances ; and 2nd, their character and objects, the means used for accomplishing these objects, and the effects produced by them ; and lastly, to inquire what measures are likely to prevent their recurrence.

CAUSES OF DISTURBANCES IN IRELAND.

In order to ascertain the causes of the local disturbances which have now prevailed in Ireland to a greater or less extent for more than seventy years, it is necessary to consider the state of the occupying tenantry and the labouring classes in that country, at the time when these disturbances began.

The treatment of the native Irish, as an incurably barbarous race, before the Reformation, and the various civil wars and confiscations which took place after the Reformation, had, at the period of the Revolution, when King William's power was finally established in Ireland, so completely broken up the framework of society, and so loosened men's notions as to the obligations of law and morality, that it would have been a difficult task for the wisest and most beneficent government to raise the mass of the Irish people to the general level of European civilization. Instead, however, of attempting a course of policy which, if it did not effect everything, was at least sure of partial success, the Government, alarmed at the strength of the Pretender's party, and acting on the persecuting maxims which were then still current in Europe, introduced the penal code against the Catholics, and treated the majority of the Irish people as outlaws. According to this system (which has to a greater or less extent been acted on nearly up to the present day) every Irish Catholic was presumed to be disaffected to the

State, and was treated as an open or concealed rebel: the entire government was carried on by the Protestants and for their benefit*; and the Protestants were considered as the only link between England and Ireland. The English thought it for their interest that Ireland should belong to them, and they supported the Irish Protestants in oppressing the Irish Catholics†, who, it was assumed, without that oppression would throw themselves into the arms of France. At the same time that a wide and impassable line was drawn by the law between the two religions in Ireland, and the one persuasion was made a privileged, the other an inferior class, the *whole* of Ireland was treated as a province or colony, whose interests were to be sacrificed to those of the mother-country. Hence arose the restrictions on Irish commerce,—on the exportation of corn, cattle, and woollen goods,—avowedly for the benefit of England‡. A system of government administered in this

* See the passages from Berkeley's *Querist*, cited in Mackintosh's *Dissertation on the Progress of Ethical Philosophy*, p. 211, 8vo. ed.

† "It seems (says Mr. Hallam, in his able sketch of the History of Ireland) as if the connexion of the two islands, and the whole system of constitutional laws in the lesser, subsisted only for the sake of securing the privileges and emoluments of a small number of ecclesiastics, frequently strangers, who performed no duties, and rendered no sort of return for their enormous monopoly." *Constitut. Hist. of England*, c. 18. Such was doubtless the *effect* of the system; but such was not the *object* of the English Government in establishing it. *They* looked only to their own interests, and imagined that the subjection of Ireland to England could only be maintained by giving a monopoly of power to the Protestants of the Established Church.

‡ An amusing instance of the feeling that Ireland was to be sacrificed to England is mentioned by the author of the *Commercial Restraints of Ireland*, p. 125. In 1698 two petitions were presented to the English House of Commons from the fishermen of Folkstone and Aldborough, stating that they were injured "by the Irish catching herrings at Waterford and Wexford, and sending them to the Straits, and thereby forestalling and ruining petitioners' markets."

spirit, and in a country where the people were already in a state of great rudeness and disorder, necessarily led to the degradation and demoralizing of the bulk of the population.

The relation between landlord and tenant was affected in two ways by the treatment which Ireland had experienced from England. In the first place, the large grants of land which the Government had, at different times, made to Englishmen, naturally led to the non-residence of many of the chief landed proprietors; inasmuch as Englishmen, who had also large estates in England, naturally preferred living in the land of their birth, which, moreover, was nearer the seat of Government, was in a more civilized and better cultivated state, and was, in general, a more agreeable place of residence. These persons were forced to manage their Irish estates by agents; or, more frequently, they were tempted to let them in large portions to middlemen, who then divided the land into small holdings, and sub-let it to the occupying tenantry*. In the second

* There is a close analogy between the letting of absentee property in Ireland to middlemen, and the management of the government by undertakers. Certain persons made a bargain with the Government, that they would be answerable for a majority in both houses, and for the coercion of the people, if a certain number of appointments were placed at their disposal. The Government, by this proceeding, secured the submission of Ireland, but lost the advantage of a large part of its own patronage, and moreover was occasionally compelled to be a quiet spectator of the most frightful injustice. (See 'Lord Chesterfield's Miscellaneous Works, vol. ii. pp. 499—500. Compare p. 512.) In like manner an absentee landed proprietor, unable to manage his own estate, and unwilling to trust an agent, let it to a middleman at a rate which left him the power of making a large profit rent; and who, having no permanent interest in the estate, oppressed the miserable cottier tenants without mercy. In this manner the landlord secured a man who *undertook* for the property; but he lost the difference between the rent paid by the occupying tenants and the rent paid by the middleman; and he prevented the possibility of a respectable tenantry being ever formed on his property.

place, the landlord, if resident and an Irishman, was almost invariably a Protestant, as Catholics were incapacitated from holding land: and as in the three southern provinces nearly all the occupying tenants were Catholic, the landlord exercised over his tenant not only that influence which a creditor necessarily exercises over his debtor, but also that power which the law gave to the Protestant over the Catholic, to the magistrate and grand juror over the suspected rebel*.

In these two ways all friendly connexion between the landlord and the tenant of the soil was broken: either the landlord was at a distance, and was represented by an oppressive, grasping middleman, or, if on the spot, he was the member of a dominant and privileged caste, who was as much bound by his official duties as he was prompted by the opinion of his order, by the love of power, and by the feeling of irresponsi-

* John O'Driscoll, Esq. :—"Has not the conduct of the magistrates very much contributed to alienate the people from the law, and to make them dissatisfied and violent in their conduct?—No doubt it has; but I consider the conduct of the magistrates as growing very much out of the state of the laws with respect to Catholic and Protestant; the magistrates have long been used to treat the Catholic people as if they were an inferior class; the law so far has spoiled the magistrates; and it has spoiled most of the upper class of Protestants as much as it has the Roman Catholics; it has converted the one into a class of petty tyrants, and the other into a class of slaves.

"You mean, that being called upon to administer those laws and the privileges conferred by them, have induced the magistrates to form notions unfit for their stations in society with respect to their conduct towards the lower orders?—I think the superiority which they suppose themselves to enjoy as Protestants, has induced them to treat the lower class of Catholics with less justice than they would otherwise have done.

"Was it not common for the Irish Parliament to pass resolutions or take other steps in order to compel the magistrates to enforce with rigour the old penal statutes?—Yes, I have heard and read to that effect." *Minutes of Evidence, House of Commons, 1824, p. 383.* See also *Edinburgh Review*, vol. xli. p. 369.

bility, to oppress, degrade, and trample on his Catholic tenants. Hence it was impossible that the different classes of society should be shaded into one another; that the rich should pass into the poor by that insensible gradation which is found in England; or that the amicable relations should ever be formed between landlord and tenant, which (with temporary and partial exceptions) have subsisted for some centuries in the latter country, to its great and manifest advantage. The sharp separation of the upper and lower ranks, the degradation of the peasantry, their ignorance, poverty, recklessness, and turbulence, were as necessarily the consequences of the system pursued in Ireland, as the comparative comfort of the labourer, the occupation of the land by a respectable tenantry, the general tranquillity of the agricultural population, and the gradual passage of the richer into the poorer ranks, were the consequences of the system pursued in England. Any person who had attentively studied the state of society in England and Ireland at the opening of the eighteenth century might, without any remarkable gift of political prophecy, or without hazarding any rash conjecture, have foretold the respective destinies of the agricultural population in either country.

Arthur Young, who travelled in Ireland in 1776 and the following year, appears to have been much struck with the difference between the relation of landlord and tenant in England and in Ireland; and in describing the wretched condition of the latter, he makes use of expressions which might be thought hyperbolic, if they had not proceeded from a dry matter of fact writer on the details of husbandry.

“ It must be very apparent to every-traveller through that

country," he says, "that the labouring poor are treated with harshness, and are, in all respects, so little considered, that their want of importance seems a perfect contrast to their situation in England, *of which country, comparatively speaking, they reign the sovereigns.* The age has improved so much in humanity, that even the poor Irish have experienced its influence, and are every day treated better and better; but still the remnant of the old manners, the abominable distinction of religion, united with the oppressive conduct of the little country gentlemen, or rather vermin of the kingdom, who never were out of it, altogether still bear very heavy on the poor people, and subject them to situations more mortifying than we ever behold in England. The landlord of an Irish estate inhabited by Roman Catholics is a sort of despot, who yields obedience, in whatever concerns the poor, to no law but that of his will. To discover what the liberty of a people is, we must live among them, and not look for it in the statutes of the realm: the language of written law may be that of liberty, but the situation of the poor may speak no language but that of slavery. There is too much of this contradiction in Ireland; a long series of oppressions, aided by many very ill-judged laws, have brought landlords into a habit of exerting a very lofty superiority, and their vassals into that of an almost unlimited submission: speaking a language that is despised, professing a religion that is abhorred, and, being disarmed, the poor find themselves, in many cases, slaves even in the bosom of written liberty*. Landlords that have resided much abroad are usually humane

* Out of the three circumstances here enumerated by A. Young, as making the Irish peasants no better than slaves, two concur in the Welsh and the Scotch Highlanders, namely, the speaking of a despised language, and the being disarmed. For although the Highland and Welsh peasants have a *right* to possess arms, *in point of fact* they are unarmed. And yet the Highlanders and the Welsh are a happy, and contented, and remarkably tranquil peasantry. It was the third circumstance mentioned by A. Young, "the professing a religion that is abhorred," or rather a religion denounced by the law, and importing a civil inequality, which made the condition of the Irish peasants in the last century scarcely superior to villenage.

in their ideas *; but the habit of tyranny naturally contracts the mind; so that even in this polished age there are instances of a severe carriage to the poor, which is quite unknown in England."

"A landlord in Ireland can scarcely invent an order which a servant, labourer, or cottar dares to refuse to execute. Nothing satisfies him but unlimited submission. Disrespect, or anything tending towards sauciness, he may punish with his cane or his horsewhip with the most perfect security. A poor man would have his bones broken if he offered to lift his hand in his own defence. Knocking down is spoken of in the country in a manner that makes an Englishman stare. Landlords of consequence have assured me, that many of their cottars would think themselves honoured by having their wives and daughters sent for to the bed of their master; a mark of slavery which proves the oppression under which such people must live. Nay, I have heard anecdotes of the lives of people being made free with, without any apprehension of the justice of a jury. But let it not be imagined that this is common; formerly it happened every day, but law gains ground. It must strike the most careless traveller, to see whole strings of cars whipt into a ditch by a gentleman's footman, to make way for his carriage; if they are overturned or broken in pieces, no matter, it is taken in patience: were they to complain, they would, perhaps, be horsewhipped. The execution of the laws lies very much in the hands of the justices of the peace, many of whom are drawn from the most illiberal class in the kingdom. If a poor man lodges his complaint against a gentleman, or any animal that chooses to call itself a gentleman, and the justice issues out a summons for his appearance, it is a fixed affront, and he will infallibly be *called out*. Where

* A. Young seems to be mistaken in accounting for the overbearing conduct of the small Irish squires to their tenants, by their never going abroad. The manners of many of the English country gentlemen in the first half of the eighteenth century were probably not very refined; but their roughness took a different turn from that of the Irish landlord. The Squire Westerns of the last century would doubtless have had no objection to drink a tankard of ale, and smoke a pipe with a tenant.

manners are in conspiracy against *law*, to whom are the oppressed people to have recourse? It is a fact, that a poor man, having a contest with a gentleman, must—but I am talking nonsense; they know their situation too well to think of it; they can have no defence but by means of protection from one gentleman against another, who probably protects his vassal as he would the sheep he intends to eat*."

Similar remarks on the tyranny formerly practised on the Irish peasantry by their superiors are made by the author of 'An Inquiry into the Causes of Popular Discontents in Ireland.'

"It has not been unusual in Ireland," he says, "for great landed proprietors to have regular prisons in their houses for the summary punishment of the lower orders. Indictments preferred against gentlemen for similar exercise of power beyond law are always thrown out by the grand juries. To horsewhip or beat a servant or labourer is a frequent mode of correction. But the evil is not so great among the gentlemen of large property, whose manners have generally been softened by education, travelling, and the progress of humanity and civilization. A horde of tyrants exists in Ireland in a class of men that are unknown in England; in the multitude of agents to absentees; small proprietors, who are the pure Irish squires; middle-men, who take large farms, and squeeze out a forced kind of profit, by reletting them in small parcels; lastly, the little farmers themselves, who exercise the same insolence they receive from their superiors, on those unfortunate beings, who are placed at the extremity of the scale of degradation, the Irish peasantry †."

* A. Young's Tour in Ireland, part ii. p. 29, 4to.

† An Inquiry into the Causes of Popular Discontents in Ireland. By an Irish Country Gentleman. London, 1804, p. 29. "I will add another proof (says the same writer) of a more particular nature, to show that this national habit, like all other national habits, is so strong, that the expression of it is discernible in men whose personal habits are directly the reverse. An acquaintance of mine, possessed of a very large landed pro-

It has been often remarked, that one of the chief evils of slavery is that it corrupts the master as well as the slave. The Irish landlord, during the rigour of the anti-catholic code, was subjected to all the temptations arising from the possession of irresponsible power. Not only did he become harsh and tyrannical to his inferiors, but reckless and sensual in his habits of living, profuse in his expenditure, violent in his quarrels, intolerant in the assertion of his religious opinions, corrupt and partial in the exercise of his official authority. Hence, likewise, he did not scruple to employ his tenants and dependants, when it suited his inclination, for any purpose, however mischievous, which he might wish to accomplish. We do not imagine that Irish history offers a second instance of a landlord employing and instructing his tenants to commit a cool and pre-meditated murder; but it may be questioned whether the records of any civilized European nation, during the last century, would present an authentic picture of such a state of society as is disclosed by the trial of Mr. George Robert Fitzgerald.

The labouring classes, on the other hand, suffered most of the evils of slavery, without enjoying any of its advantages. Deprived of all self-respect by the opera-

perty, who has in a high degree that natural affability and politeness which marks the Irish; who gives his tenants plenty of leisure to pay their rents; who is the father of a little army of labourers, that he keeps in constant employment; whose house is a kind of hospital, where all the sick in the neighbourhood send for medicines and wine; in his courtyard the poor of the parish and the wandering beggar assemble without ceremony, and find in the remnants of his hospitable kitchen more broken victuals than is supplied by any English nobleman's house; this essentially amiable and kind-hearted man prefaces a rebuke to a labourer with "You villain; you! I'll blow your bloody soul in a blaze of gunpowder to hell!" P. 31-2.

tion of the penal statutes ; prevented from rising in the world, or from bettering their condition, by legal disabilities and the legalized oppression of their landlords ; without education ; excluded from a public participation in the rites of their own religion ; they endured all, and more than the evils which belonged to the lot of a serf, without looking forward to the interested protection and relief which a master would afford to his bondman. Having neither the means of accumulating a little capital, nor the foresight necessary for making a good use of it when accumulated, the agricultural labourers and cottier tenants were for the most part in a state of extreme destitution, ill-fed, ill-clad, and ill-lodged *. If at the present day, when the commercial restraints of Ireland have been removed, and so great a reduction has taken place in the price of manufactured goods, and when there has been so vast an improvement in the system of Irish government and the administration of the law, we see in how deep destitution the Irish peasant is plunged, we may judge what was his physical condition in the middle of the last century †.

The poorer classes in Ireland seem moreover at the same time to have been in that precise state which is the most favourable to the growth of population ; namely, where the moral checks on increase scarcely operate at all, and the physical checks operate but feebly ‡. Not living like slaves in a state of promiscuous concubinage unfavourable to propagation, but

* See O'Connor's History of the Irish Catholics, part i. p. 285.

† See note A at the end.

‡ See Malthus on Population, vol. i. p. 469, 6th ed. and compare Clinton's Fasti Hellenici, vol. ii. p. 393.

marrying early, dwelling in separate houses, and satisfied with the scantiest and poorest food, they had sufficient regard for their children to make every effort to rear them, but were indifferent about everything except their mere existence. Far removed from the brutality of those half-civilized nations, which have practised the exposure of new-born infants, they nevertheless performed only the *animal*, and none of the *moral* duties of parents; nor did they feel any scruple in raising up children to whom they had nothing to bequeath but a sad legacy of poverty and wretchedness *. Fever and other epidemic diseases, the consequences of bad or insufficient food, of close and damp dwellings, and of the want of other comforts and necessities, doubtless then, as now, thinned the ranks of the lower classes in Ireland: but on the other hand, the country was never devastated by any invading army, or

* A. Young, enumerating the causes favourable to the growth of population in Ireland, says:—"Marriage is certainly more general in Ireland than in England: I scarce ever found an unmarried farmer or cottar; but it is seen more in other classes, which, with us, do not marry at all; such as servants; the generality of footmen and maids in gentlemen's families are married, a circumstance we very rarely see in England. Another point of importance is their children not being burdensome. In all the inquiries I made into the state of the poor, I found their happiness and ease generally relative to the number of their children, and nothing considered as such a misfortune as having none." Part ii. p. 61. A. Young forgot to add that the Irish poor did not find a large family burdensome, only because they omitted to perform those duties which a parent in restricted circumstances finds it difficult to perform. Another circumstance mentioned by Arthur Young as assisting the growth of population in Ireland is the *absence of poor-laws*; so that he may be added to the testimonies adduced by Mr. McCulloch before the Committee on the State of the Irish Poor, No. 6458, to show that the English poor-law before 1798 operated as a check to population. On the frequency of marriage in Ireland, see also Newenham's Inquiry into the Population of Ireland, p. 18.

subjected to those influences which had laid waste whole tracts of land after the rebellion of 1641.

We need not therefore wonder that the population of Ireland should have increased more rapidly during the eighteenth century than that of any other country in Europe*, notwithstanding occasional drains of emigration to America and Great Britain. It is moreover to be observed, that this great increase was doubtless confined exclusively to the poorer classes, and especially to the country population. There is no reason to suppose that, in the upper ranks, and in the inhabitants of towns, the rate of increase was different from that which prevailed at the same time in Great Britain.

Under these circumstances, the labouring peasantry, loaded with large families, and unprotected by a poor-law, were forced to submit to any rent which the landowner, or his middleman, chose to exact from them. For, as accumulation of capital among the agricultural tenantry had been made impossible by the system of government, the whole country was divided in small portions, among a set of occupiers almost equally poor; so that each man was in general able, with the assistance of his family, to cultivate his own ground, and thus there was little or no agricultural employment to be obtained *for hire*: even those persons who employed labourers were in the habit of paying them in land, or (what comes to the same) setting off their rent against their wages. Hence it was the first ambition of every man to obtain a small holding of land, on which he could erect a mud hovel, and raise enough potatoes for the subsistence of himself and his family; and to keep

* See Malthus on Population, book ii. c. 10, *ad fin.* Vol. i. 470, 6th ed.

possession of his holding, when he had once obtained it, at any sacrifice of rent which he was able to make, after reserving, from the proceeds of his land and labour, just enough to support life.

When the peasantry who lived in this manner were thinly scattered over the country, they had more facility of turning cattle, or sheep, or pigs on waste land, and their distance from each other prevented communication, and made detection more easy : but when the rapid increase of population brought them nearer to one another, they had more difficulty in finding a subsistence among so many competitors, and their greater numbers gave confidence, security, and means of easy intercourse. Accordingly we find that when the Catholic part of Ireland began to be thickly peopled, then, and not till then, local disturbances broke out, occasioned, in the first instance, by the inclosure of waste lands, and the dispossession of tenants.

The causes of the original Whiteboy insurrection in 1761 appear sufficiently from the testimonies already cited. The following statement of them by Lord Charlemont, in a paper preserved by his biographer, may, however, be here inserted.

“As the insurgents were all of the Catholic religion, an almost universal idea was entertained among the more zealous Protestants, and encouraged by interested men, that French gold and French intrigue were at the bottom of this insurrection ; the real causes were indeed not difficult to be ascertained.—Exorbitant rents, low wages, want of employment in a country destitute of manufactures, where desolation and famine were the effects of fertility ; where the rich gifts of a bountiful mother were destructive to her children, and served only to tantalize them ; where oxen supplied the place of men, and by leaving little room for cultivation, while they enriched

their pampered owners, starved the miserable remnant of thinly scattered inhabitants : farms, of enormous extent, let by their rapacious and indolent proprietors to monopolizing land-jobbers, by whom small portions of them were again let and relet to intermediate oppressors, and by them subdivided for five times their value, among the wretched starvers upon potatoes and water : taxes yearly increasing, and tithes which the Catholic, without any possible benefit, unwillingly pays in addition to his priest-money—misery, oppression, and famine ! —These were undoubtedly the first and original causes, obvious to the slightest inspection, though resolutely denied ; and every public investigation into them impudently frustrated by those whose sordid interest opposed their removal*.”

That the same causes have produced the more recent Whiteboy disturbances is proved by the almost general consent of the numerous and well-informed witnesses examined by the parliamentary committees above mentioned ; whose evidence we will now adduce, so far as it bears on this part of the subject.

The extracts, which we now proceed to select, relate principally to the increase of the agricultural population, the want of employment, and the consequent desire to get possession of land, as the only means of support.

Francis Blackburne, Esq., Barrister, appointed in 1823 to administer the Insurrection Act in the counties of Clare and Limerick.

“ Will you describe what you conceive has been the cause of the population increasing so considerably beyond any demand for employment that could exist ?—That question requires some detail. The population in Ireland has been, at least in that part of Ireland to which my testimony refers, I believe rapidly increasing. I believe the Irish peasant scarcely ever forms, at least while he remains at home, an idea of

* Hardy's *Life of Charlement*, vol. i. 171. 8vo. ed.

bettering his condition : they are improvident : and either from that improvidence, or the high rents, are seldom able to realize personal property. When a farmer, who has a few acres of land, (I mention this as an instance,) has his children to portion out in the world, and they are about to be married, he has nothing to give them but land. The farm is subdivided, the portions which each member of that family gets are in the next generation liable to be again subdivided; and thus subdivision of land and the multiplication of the species go on *pari passu*. The increase of population, in a country where land forms the only means of subsistence, has produced in Ireland the effect of creating, in my judgment, a perfectly erroneous criterion of the value of land."—Minutes of Evidence, Lords' Committee, 1824, p. 8.

"My opinion was and is, that in Limerick, and the adjacent parts of the counties of Cork and Kerry, the spirit of insurrection which has broken out, proceeded from local causes, and the condition of the lower orders of the people.

"Have the goodness to state to the Committee generally, in what way you think the condition of the lower orders operated to produce this apprehension on your general view of the state of the country, your general view of the case?—The population of the parts of the country, where insurrections were most prevalent, is extremely dense. The property is greatly subdivided, and the condition of the lower orders of the people is more miserable than I can describe it. The great increase of people, with other causes, which I shall advert to more particularly, had raised the rents of lands in that part to a degree that was perfectly exorbitant. Land in that county, which is totally destitute of manufactures, appears to me to have become (if I may use the expression) a necessary of life. The common mode of livelihood speculated upon in that country is the taking of land; of course, in proportion as the population multiplied, the demand for land increased; and that, combined with the extravagant prices of all species of agricultural produce, had raised land to a price beyond anything which we can call its intrinsic value. The subdivision of land

was also produced by speculations of a political kind; the consequence of this was, that land appeared to me to stand, generally speaking, at a rent which it was impossible for the tenant at any time to pay, reserving the means of decent subsistence. In that state of things, it appeared to me to be manifest the tithes must fall, postponed, as in general the remedies for them were, to the remedies of the landlord, with peculiar severity on the lower orders of people. The fall in the value of lands was nearly contemporaneous with the failure of the southern banks. I think I have now pointed out the leading circumstances of the local condition of that part of the country which I have before mentioned. The Committee will understand, that the connexion between the southern part of Limerick and the adjacent parts of Kerry and Cork is so intimate, that it was impossible to have formed an opinion with respect to one, without informing myself with respect to the others."—Minutes of Evidence, House of Commons, 1824, pp. 5, 6.

Maxwell Blacker, Esq., Barrister, appointed to administer the Insurrection Act, in 1822, in the counties of Cork and Tipperary.

"Have you considered what may have been the causes which led to the disturbances which took place in that part of Ireland? —The immediate cause of the disturbance I consider to be the great increase of population, and the fall in the price of produce after the war; the consequence of which was, that it was impossible to pay the rent or the tithes that had been paid in times when the country was prosperous; and I conceive that both the landlords and the clergy of the country were, for some time before they felt the necessity of abating in proportion to the necessity of the times, expecting, as I believe it was generally expected, that that depression would be momentary; and I conceive that the distress which was occasioned then by the demands that were made upon the people, which they were unable to satisfy at the time, produced, in a great measure, the commencement of those disturbances."—Minutes of Evidence, House of Commons, 1824, p. 58.

"As far as your knowledge goes, is the distress of the lower class in Ireland general?—Certainly; the distress has been since the war very general throughout Ireland.

"Is it of great extent?—I conceive so.

"Have you ever directed your attention to the ultimate causes of it?—The ultimate causes must be sought much further back in the history of the country.

"Will you state what has occurred to you upon that subject?—I conceive that the long course of confiscations of property and of penal laws had very bad effects at the time (whether they were necessary or not) upon the minds and upon the dispositions of that great body of the people of Ireland. The upper class of gentry who were deprived of their property, naturally felt great enmity to those who got their properties; the clergy, I conceive, must have felt extremely annoyed to find the rich provision for the church transferred into other hands; and the lower classes, who did not experience much one way or the other, were found to be very ready and dangerous instruments in the hands of those above them who were discontented. I conceive the consequence of all that has been, great want of education amongst the people, great indisposition to the Protestant establishment in the country, and a feeling which makes the lower classes of the people very easily excited.

"All the circumstances you have enumerated would rather produce discontent than distress; what are in your opinion the causes of the distress?—The great tendency to increase of population, arising mainly from the high prices during the war, which changed Ireland from a pasture country very much into an agricultural country; and from the relaxation of the penal code in that particular, as to establishing forty-shilling freeholds among Catholics, which has led excessively to population; and also from the interest of the priests to increase population, whose greatest income is derived from the fees upon marriages."—Minutes of Evidence, House of Lords, 1824, p. 18.

Matthew Barrington, Esq., Crown Solicitor of the Munster Circuit for seventeen years.

"Then you attribute a great deal of the disturbance and outrage in Ireland as much to misery as to wickedness?—I attribute it very much to the want of employment, and in many instances to the anxiety to keep land, promising any rent, however unable they may be to pay it. An Irish tenant will offer any price for the land, and take his chance of keeping the possession. I attribute it sometimes to the oversetting land at more than its value, and then dismissing the tenant when he is unable to pay the rent promised.

"Knowing at the time that if he was turned out of that land he must starve?—Perhaps so.

"Do you think they have influence enough to lead as many as you have described into their schemes of insubordination and insurrection?—I think if a desperate gang form themselves in any county in Ireland, the rest of the poorer people are either ready or are compelled to join them, and it runs like wildfire through the county, if it is not checked in the first instance, to an extent that becomes alarming, as it has always done.

"Do you attribute the inflammable state of the population to the state of misery in which they generally are?—I do to a great extent; I seldom knew an instance where there was sufficient employment for the people that they were inclined to be disturbed; if they have plenty of work and employment they are generally peaceable."—*Minutes of Evidence, House of Commons, 1832.* Nos. 17, 18, 29, and 49.

George Bennett, Esq., Barrister, appointed in 1823 to administer the Insurrection Act in the county of Kildare and the King's County.

"Can you assign any cause for that predisposition to disturbance, when no particular local causes had occasioned it?—I think that in Ireland there is a great disposition through the whole country, among the lower orders, to join in any disaffection or disturbance; that observation of course applies to King's County as well as to others.

"What are the circumstances, in the state of the lower orders of the Irish, in your own opinion, which predispose them to discontent?—A very great population, uneducated, and unemployed for a great part of the year, and consequent distress.

"Are there any other causes, besides their poverty, which you can assign?—I mentioned their want of religious education; and also this—that a number of persons, I believe, had joined in those disturbances, who would not have joined, but from terror operating upon them, by those who had already embarked in them."—Minutes of Evidence, House of Commons, 1824, p. 82.

Major Richard Willcocks, Inspector of Police under the Constabulary Act in Munster, and previously Chief Magistrate of Police under the Peace Preservation Act, in the counties of Tipperary and Limerick.

"You mentioned the wretchedness and misery of the peasantry as one of the causes of disturbance?—In Limerick particularly so.

"Will you describe the situation of persons that you allude to; has your situation brought you into contact with them?—My duty often imposes upon me to visit their habitations.

"Will you describe in what state you found their habitations?—Most wretched.

"Can you state to the Committee how those persons support themselves?—They generally contrive to get what is called a quarter of ground for planting potatoes; in which they plant as much probably as will answer their families for the season, if the weather turns out favourable; I have often seen those people eating potatoes and salt; and the manner in which I have seen them lying was really shocking. I have seen, in many instances, a thing which grows upon the bog, the sedge of the bog strewed over a corner of the habitation and very little covering; and I found them all lying together in that state that was really very shocking.

"Without distinction of sex?—Probably in these places there was no partition in the house, they were all lying together.

" You speak of the county of Limerick particularly?—The western parts of the county of Limerick particularly.

" Were the persons you found in this state numerous; did you find many families in that situation?—I did, where the disturbances prevailed.

" How were they clothed?—Very wretched; the clothing they wear in the day frequently is part of their covering at night.

" Had they no mode of earning money?—I believe not, for whatever little land they held I believe was paid for by labour; they had a small garden; I believe there was not much employment for the last two or three or four years.

" Do you mean that they paid their rent for their quarter of ground by giving their labour to the landlord?—In many instances they did.

" They have not actual money circulating among them?—No money circulating.

* * * *

" To what do you attribute the great disturbance that you have described as prevailing among the lower orders in that part of the country?—It is very difficult for me to form an opinion, it arises from many causes. I think a great deal of disturbance has arisen about rents: the lands during the war were set very high in most parts of Ireland, and in peace there was a great reduction in the price of produce, a most considerable reduction in Ireland; and I think that the landlords were proceeding to distress the tenantry, and to get those high rents which the produce of the lands did not enable them to pay, and I think that that produced a number of persons to be turned out of their farms, and from that arose a number of outrages of the dispossessed tenants.

" Do you think then, if a great abatement of rent was made by landlords in those districts, that the causes of disturbance and insurrection would then be very much diminished?—If they were released from all the old covenants that exist at present between the landlords and the tenants, and the steps that have been lately taken by the Irish government in subduing those

districts, I think would tend very mainly to the tranquillization of the country.

"Are there any other causes besides the highness of rent that you think tend to create disturbance?—A vast deal of disturbance has been created about tithes; the lower class of farmers are very much discontented about the tithe system.

"That they are exorbitant, or in the mode of collection?—I think not exorbitant, but in the mode of collection. I think there was more disturbance produced by the mode of collection, than by anything of an exorbitant charge on the part of clergymen. I think there has been very little increase in the tithe for some years, and if a tenant proposing for his farm looks to his own interest, he ought to put that as a part of the rent upon himself; and unless the proctor or the clergyman increase considerably the demand for tithes, I do not think the tenant has any right to complain.

* * * * *

"You stated a variety of causes for the disturbances which have agitated different parts of the country. Tithes, it would appear, were not by any means the cause in all of them?—I think tithes appeared to be the cause of the outrages when I first went into Limerick.

"With respect to the different districts that you mentioned, did tithe appear to be mixed up as a cause in all the disturbances?—I think it was mixed up with most of the disturbances in those counties. Many of the tithe valuers, and tithe proctors, were attacked in most of the counties I have been in, some murdered, and some beaten nearly to death.

"Have discontents relating to tithes been as frequent a cause of disturbance as questions about land?—Certainly not; I think the land is the prevailing cause at present.

"Generally speaking, during your experience, has the tithe or the land been the most frequent cause of discontent?—In 1808, I think in Limerick, tithes were mostly the cause of the discontent, more so than land.

"Is that the case with respect to any other districts that have come within your knowledge?—I think, when I went to Tippe-

rary, there was more about rent than about tithes, though the tithes were very obnoxious.

"The class of persons called tithe-proctors have been particularly obnoxious?—Particularly so.

"Have they been more obnoxious than any persons connected with the rent of land?—Most certainly they have.

"Have they been very frequently attacked?—Frequently, and some of them murdered; in the barony of Kilnamanna I know a tithe-proctor was murdered.

"Should you, upon the whole, be inclined to say, from your knowledge of the south of Ireland, that the rent of land or the tithe is the greater cause of discontent?—I really think the land. I think a good deal arises out of the land that tenants have been dispossessed of. I think, with respect to rent, the landlords themselves, or their agents, adopted a very unwise mode of settling with their tenants, namely, that of taking from the tenant whatever he can pay, but not releasing him from any contract that was held over him; and I think that the tenant availed himself of a piece of chicanery in that instance, by saying, every time that he went to the landlord to make a payment, he was less able than formerly to do so; and I think he kept rent from the landlord that he was able to pay, owing to that circumstance.

"Is not the desire to acquire land, and the impossibility of obtaining it from competition for land, a very frequent cause of discontent?—Very frequent."—Minutes of Evidence, House of Commons, pp. 99, 101, 119.

Major George Warburton, Inspector of Police under the Constabulary Act, and previously Chief Magistrate under the Peace Preservation Act in the county of Clare.

"To what do you attribute the original disposition of the people in the county of Clare to commit outrages before the Insurrection Act was imposed?—I think there are a great variety of causes which might be assigned; probably a combination of causes.

"Will you enumerate them?—I think there was very great distress; there was great want of employment, and I think there was also a political influence.

"Do you conceive that the state of either the rents or tithes had any, and what influence in promoting that spirit?—I have, unquestionably, heard complaints of both rents and tithes, but not to the extent, I should think, of creating the disturbances that have occurred."—Minutes of Evidence, House of Commons, 1824, p. 125.

Mr. Serjeant Lloyd, appointed in 1822 to administer the Insurrection Act in the county of Cork.

"Do you think that religious distinction was a more efficient cause of those disturbances which you have had an opportunity of witnessing in the county of Cork, than the pressure of actual distress and the ignorance of the lower orders; which of those causes do you think was the most efficient?—My own opinion was, that the disturbances broke out in consequence of great distress; but when once a disturbance breaks out, I think it gets force and continuance from religious distinction.

"When you speak of religious distinction, do you mean feuds between the lower orders of Protestants, and the Roman Catholics?—Those feuds, I think, are generated in consequence of religious distinctions between the upper orders."—Minutes of Evidence, House of Commons, 1824, p. 203.

Mr. Justice Day, Judge of the Court of King's Bench in Ireland for twenty-one years.

"You are acquainted with the nature of the disturbances in the counties of Cork and Limerick?—I think I am pretty well; we all know them too well.

"Have you resided in the county of Kerry?—No; my profession and office made it impossible for me to reside so far from the capital; but I have been in the habit of visiting the county in the summer; I generally visit it for two or three months in the year.

"Have you gone that circuit?—Yes, sometimes.

"In your opinion, what are the causes of those disturbances?—I should think they have proceeded from different causes in the different counties. In the county of Limerick, I apprehend that they commenced upon Lord Courtenay's estate, and that there was a good deal of oppression practised upon that estate: in the county of Kerry, the disturbances were, I think, a good deal owing to the total want of employment for the peasantry, and the consequent great distress and suffering; and perhaps a good deal so in the county of Cork, but I know more of the county of Kerry; I think those are the proximate causes in those two counties."—Minutes of Evidence, House of Commons, 1824, p. 247.

John O'Driscoll, Esq., Barrister, resident in the county of Cork.

"What do you consider to have been the cause of those extensive disturbances that have existed in the county of Cork, and the adjoining counties?—I think there were a great number of causes combined; the immediate cause no doubt was the distress of the people, and the want of food.

"Did the state of rents contribute, in your opinion, to lead to a spirit of insurrection?—No doubt of it; rents and tithes, I think, were both in that part of the country extraordinarily high.

"Was there much oppression practised in forcing the payment of those high rents?—Yes, a great deal of oppression.

Were the claims for tithe very high also?—The tithes were also very high.

"Was the rate of tithe required, at all reduced in proportion to the fall of prices?—I do not think they were reduced at all in proportion to the fall of prices; they were reduced but very slowly and very inadequately to the fall of prices.

"Do the landlords and the clergy put in force all the rigours of the law, in endeavouring to enforce payment of those high rents and tithes?—I think they do very generally; there are a considerable number of middlemen in that part of the country, who are by habit, and perhaps by necessity, severe. X

"Was it not utterly impossible for the people to pay the rates

of tithe and rent that were claimed from them?—I think the rent and tithe, and other charges on the land, made it utterly impossible for the people to pay anything like the demands.

“Are you of opinion that any political feelings have contributed to render the common people discontented, and disposed to embark in insurrectionary projects?—Yes, I am sure political feeling always mixes with these disturbances; when there are disturbances arising from any immediate pressure upon the people, political causes always come in to aggravate and to increase those disturbances.

“What is the nature of those political feelings?—I think they arise altogether out of the distinctions which the law makes betwixt Catholic and Protestant.”—Minutes of Evidence, House of Commons, 1824, p. 381.

Richard Griffith, Esq., civil engineer, employed by the government in conducting public works in the counties of Cork, Limerick, and Kerry.

“Were they in a state of quiet in that part of the country [County of Limerick]?—They were at that time [1822]; the disturbances had just subsided.

“When did they begin again?—In the spring of the year 1823.

“Had you an opportunity of observing what was the cause of that renewal of disturbance?—I can hardly give an opinion upon what was the cause; there were several causes which may be adduced; the apparent causes were the high rents and the low price of agricultural produce, which created great distress among the people; but the Whiteboy system was the prime mover of all. The people themselves attributed the disturbances to distress, arising from the causes I have mentioned.”—Minutes of Evidence, House of Lords, 1824, p. 36.

William Henry Worth Newenham, Esq., resident in the county of Cork.

“What has been the general effect of carrying into execution the Insurrection Act in those parts?—It has been attended with great advantage.

"Does it appear to you that it has stopped the outrages only, or altered the disposition of the people to commit outrages?—It has stopped the outrages; I do not think the disposition of the people much altered.

"Can you judge of the causes that created that disposition to outrage?—There are several causes: we have a very dense population, with I may say comparatively very little employment; the system of letting to middlemen I consider another cause, and the tithe also has been complained of as a cause.

"Do any other exciting causes occur to you at this moment, as having contributed to create the outrages?—The heretofore high rent of land I consider as another cause.

"In what way occasioned—by competition?—Decidedly by competition; people are very much in the habit, in my part of the country, of overbidding one another, for the purpose of getting possession of land.

"Did it appear that the rent so paid was more in value than the produce of the land would authorize?—Very frequently more than it fairly ought to pay."—Minutes of Evidence, House of Lords, 1824, p. 181.

Justin M'Carty, Esq., Magistrate, resident in the county of Cork.

"What do you consider to have been the immediate causes of the disturbed state of the country in your neighbourhood?—I conceive the immediate causes were the exertions that were made to seduce a very large population without the means of employment, and who were particularly obnoxious to the attempts of individuals, from the state in which they were placed from the revolution that took place after the war; and who were suffering from the fall of prices, from high rents, and the debts that they owed. I conceive the attempts that were made to disseminate those prophecies [of Pastorini] as one great cause. The immediate disturbances proceeded from individuals having been sent into the country to excite the people, and to take the lead."—Minutes of Evidence, House of Lords, 1824, p. 208.

Marquis of Westmeath, resident in the county of Westmeath.

"You refer the disposition to disturbance which prevails more or less in Ireland, in a great measure to the miserable situation of the occupying tenants?—I do, certainly, of a great many of the occupying tenants; the prosperity of an estate must more or less depend upon the proprietor of it, that is, the person having the possession: but the proprietors, in many instances, have nothing to do with their own estates."—Minutes of Evidence, House of Lords, 1824, p. 229.

Rev. John Keily, parish priest of Mitchelstown, county of Cork.

"Is not some of the most disturbed part of the county of Cork contiguous to your parish, Kildorrery?—The disturbances have come to the Rock Mills; in fact, I have traced the disturbances very early, and I have particularly traced them along the two highways from the county of Limerick to Cork. There are a number of carmen travelling constantly, I believe, extolling the system that then prevailed in the county of Limerick; they made an impression upon the people as they went along, and they prepared them for receiving the system more than other parts of the county were prepared.

"Do you trace the system from the county of Limerick?—From the county of Limerick undoubtedly to the county of Cork. If it was an object to the Committee, I would enter more into detail, because I have made it my particular study, and I published two letters in the Southern Reporter, addressed to Mr. Hyde, and signed a *Well Wisher*. I found, by some means or other, I was known to be the author, and I thought it right to stop; but the fact was, that the disturbances originated in the western part of the county of Limerick, through the conduct of Mr. Hoskins. The times were very bad for the farmers, and there was a peculiar kind of gentry, a kind of middle order between the rich gentry of the country and the peasantry; persons who were generated by the excessive rise of the agricultural produce during the war, and got the educa-

tion of persons above their rank ; by the fall of the times these were reduced to their original level. Without the habit of labour, they associated with the lowest description, and in order to keep themselves in the possession of their lands, and so forth, they deferred to the system, and hence, I believe, arose the organization in the system itself, that could not have been devised by the lowest order of the peasantry. In many instances, the persons alluded to had the cunning to keep themselves a good deal out of view, but when the system began to explode they left the country, and they carried the feeling with them in their course ; some were outlawed, and some went from one place to another ; they had friends, and as they went along they tainted others ; that is, as far as I could learn. I undertook several journeys on purpose to make myself acquainted with the system, and from a vast relationship in the county of Cork, among a certain description of people, I believe I made myself tolerably well acquainted with it."—Minutes of Evidence, House of Commons, 1825, pp. 401, 402.

Rev. Thomas Costello, parish priest of Abington, county of Limerick.

"What was their distinct object ?—From the history of the disturbance, as it has now been found by experience, it appears that it originated in the conduct of a gentleman on the Courtenay estate. He was very severe towards the tenants, and the people who were in wealth previous to that, were reduced to poverty, and they thought proper to retaliate upon him and his family, and upon those who took their lands, and this was the origin of it ; and the same spirit so spread all over the country, that if a person made an offer for another man's farm, a party was made up to attack him. If the landlord was considered severe, there were notices served, and his house attacked, and from this general principle private parties were formed who began robbing in the country ; they demanded at every house a sovereign, as they said, to procure powder and ball for the general cause of redressing wrongs, but in fact they were only private robbers.

"Was there anything in their oaths connected with the

subject of religion?—Not as far as I have heard.”—Minutes of Evidence, House of Commons, 1825, pp. 420, 421.

Major General Bourke, Magistrate in the county of Limerick.

“ Have you had any opportunity of observing the causes of the disturbances in other parts of the country which have fallen under your observation?—I have, from sitting as a magistrate under the Insurrection Act, and from residing constantly in the country. I believe that, on the Courtenay estate, near Newcastle, where the disturbances commenced, there had been some oppressive measures adopted towards the tenantry; in addition to which I apprehend that the pressure of distress, occasioned by want of sufficient employment, by excessive rents, by low wages and prices, by tithes and local assessments, as also the general indisposition on the part of the people to respect the laws, owing, as I think, to the state of the law in Ireland, may be considered as the prominent causes of the disturbances.”—Minutes of Evidence, House of Lords, 1825, p. 172.

Most Rev. Dr. Kelly, R. C. Archbishop of Tuam.

“ In the year 1820 very serious disturbances took place in the counties of Mayo and Galway?—In part of the counties of Mayo and Galway.

“ Does it come within your knowledge that the cause of those disturbances was attributable in any degree to the pressure of tithes?—They generally complained of tithes, taxes, grand jury cesses, vestry cesses, the payment of the Catholic clergy, the high price of land: all those things together.

“ Were their complaints louder against the pressure of tithes than against the pressure of any other charges?—No; they complained equally of high rents, grand jury cesses, and church rates.

“ Those disturbances were the origin of what are usually called the Whiteboy disturbances?—They were called Ribbonmen.

“ Then the efforts of those Ribbonmen were not directed

specially against tithes?—Not by any means; they were directed more against landlords.”—Minutes of Evidence, House of Commons, 1825, pp. 259, 260.

John Leslie Foster, Esq., M. P.

“To what circumstances do you attribute the frequent recurrence of disturbances in Ireland of late years?—I think the proximate cause is the extreme physical misery of the peasantry, coupled with their liability to be called upon for the payment of different charges, which it is often perfectly impossible for them to meet; the immediate cause of disturbance I conceive to be the attempt to enforce these demands by the various processes of the law; we are also to take into consideration that they are living under institutions for which they have neither much affection nor much respect. I have assigned what I conceive to be the proximate causes of the disturbances; I think the remote one is a radically vicious structure of society which prevails in many parts of Ireland, and which has originated in the events of Irish history, and which may be in a great measure palliated, but which it would, I fear, be extremely difficult now wholly to change. Your Lordships will have the goodness to observe, that any description which may be given of society, or indeed of anything else as it exists in one part of Ireland, does not apply to others; in truth there are different districts of Ireland almost as unlike each other as any two countries in Europe.

“Have the goodness to specify the different charges to which the people are liable?—The first and most important is rent; the next in importance I conceive to be the tithe; the third are the county-rates; and the fourth are the parochial rates; I mean the parochial assessments connected with the Established Church; the fifth and last head of contribution to which they are liable are the payments for their own clergy. I am not aware that there are any others.

“No taxes?—I am not aware of any direct tax to which the occupier of land is liable; there are indirect taxes of course, but of those they are unconscious. There are no

local taxes other than what I have enumerated.”—Minutes of Evidence, House of Lords, 1825, p. 53.

Matthew Singleton, Esq., Chief Magistrate of Police, in the Queen’s County.

“Are the Committee to understand, that you consider that the spirit of outrage has not been got under?—It has not.

“Can you give any hint to the Committee, as to what you consider likely to accomplish that desirable object?—I think if the laws were amended in one, two, or three instances, which I will suggest, it would tend to the security of the public peace; there is scarcely an outrage committed relative to lands, but what the people assign a cause for, if I may use that expression; in some instances the unfortunate people do show one.

“What are the Committee to understand by showing a cause?—Oppression, high rent, low wages, and contracts being broken. I had two prisoners before me, one of whom was a boy, a few days before I came here; they were apprehended on a warrant, to give bail and keep the peace, and they told me a story, which, if true, I think is very severe: they told me that their forefathers (that was the expression they made use of) were in possession of a certain small plot of land; that they had a lease not expired; that they sent up a half year’s rent to Dublin to the landlord; it would not be taken; when they returned it was spent; by that time the second gale came round, and they were not able to pay the rent; and then they were permitted to give up the lands, on condition not to pay the rent due.

“That is to say, they were not called upon to pay the arrear?—They were not called upon to pay the rent due, on the proviso of surrendering the lands.

“Do you give credence to all the oppressions stated?—In many cases I do give credence. I have seen, and I know land to be set one-third above its value; and I have seen, at least I have heard and believe, that small cottagers who had land without a lease, before the assimilation of the currency, are

now called upon to pay the same rent in British currency."—Minutes of Evidence, House of Commons, 1832, Nos. 4100-4.

John Dillon, Esq., resident at Maryborough.

"As soon as the Orangemen in Mount Mellick were put down, about that period different poor people were ejected and put out of their holdings, and then a new feature was added to the Ribbon system. They then became Rockites; they are the same as the Shanabests, and different other bodies under different denominations in the county, who endeavoured to procure a rise of wages, to prevent people being turned out of their holdings and to lower the rents; they are now called Whitefeet.

"Do you think that the convictions at the last commission will check them?—It may do it partially; but if they continue suffering under hardships, and they are certainly very great, Whitefootism will revive again.

"What are the hardships under which they are suffering?—High rent, want of employment, low wages, and tithe, they consider the greatest hardships; but it is not one of the objects of the Whitefeet to put down tithes."—Minutes of Evidence, House of Commons, 1832, Nos. 2349-56-7.

Rev. Michael Keogh, parish priest of Abbeyleix, Queen's County.

"Is it the habit in the Queen's County to refuse letting small portions of land to poor people?—Yes, it is.

"How long has that habit been exercised?—I think since the Sub-letting Act was introduced.

"Is it your opinion that any of the disturbance is attributable to that cause, from the want of power in the poor man to obtain small portions of land?—Yes, I am of that opinion.

"Is it not rather to be attributed to their being placed under the necessity of looking for land?—Certainly; if they had land they need not seek for it."—Minutes of Evidence, House of Commons, 1832, Nos. 4685-8.

Mr. John Wiggins, an Englishman, land-agent in Kerry.

“ Have many of the political difficulties which have arisen in the south-west of Ireland within your knowledge arisen out of the relation of landlord and tenant?—I conceive the relation of landlord and tenant has given rise to that political commotion which we call Whiteboyism. I have found less tendency to that commotion where the occupying tenants hold of the immediate landlord under the new system; but where there are three or four middlemen over those people, they are goaded to become Whiteboys.”—Minutes of Evidence, House of Commons Committee on State of the Poor in Ireland, 1830, No. 4030.

All the above witnesses agree in a remarkable manner with regard to the causes of the Whiteboy disturbances: all trace them to the miserable condition of the peasantry, to their liability to certain charges (the chief of which is rent) which they are often unable to meet; and to their anxiety to retain possession of land; which, as Mr. Blackburne truly states, is to them a necessary of life, the alternative being starvation. With the dread of this alternative before their eyes, it is not to be wondered that they make desperate efforts to avert it: that crime and disturbances should be the consequences of actual ejectment is still more natural.

The poor Irish tenant clings with the tenacity of a drowning man to his cabin and patch of potato-ground*; so that if a landlord, for the purpose of consolidating farms, wishes to dispossess several cottiers, he is often compelled to expel them by force, and to throw down the houses, as otherwise they would return.

* On the difficulty which a landlord in Ireland finds in recovering possession, see De la Cour, Minutes of Evidence, House of Commons, 1825, p. 552.

As such extreme courses are not resorted to elsewhere, it may be desirable to give an example of one of these forcible ejectments.

Francis Blackburne, Esq.

"Has there been any recent instance, within your knowledge, of great numbers of persons having been ejected from particular properties?—Yes, there has.

"Mention any one instance that occurs to you?—The most remarkable that has occurred in my time has been the eviction of the occupants of a property of Lord Stradbrook.

"Mention the particulars of that eviction?—A lease had been made by Lord Stradbrook, or his ancestor, for thirty-one years; the lease expired in 1823; the land had been subdivided to such a degree, that I believe there were between forty and fifty families resident upon it; it was between four and five hundred acres, I think. Lord Stradbrook's agent, upon the expiration of the lease, took possession, which the people gave him in point of form, and he let them back, upon an understanding, that when tenants were provided, and a new disposition made of the property, they should give up possession; the object being, upon the part of Lord Stradbrook, to consolidate those farms, to retain a great number of the old tenants, and to enlarge their tenements. I believe contracts were made by his lordship's agent for new lettings, but when possession was demanded, upon the part of Lord Stradbrook, it was refused, and Lord Stradbrook was obliged to bring an ejectment; Lord Stradbrook's agent (there was no defence to the ejectment), attended by the sheriff, and several men to assist him, went upon the lands and dispossessed this numerous body of occupants; they prostrated the houses, leaving the people at liberty to carry away the timber; the number of persons that were thus deprived of their homes on that occasion was very large; I am sure there were above forty families, but I cannot tell the number of individuals; they were persons of all ages and sexes, and in particular a woman almost in the extremity of death.

"What do you conceive has become of them?—I should think they have been received from charity, up and down the country."—Minutes of Evidence, House of Commons, 1824, p. 21.

The following statements show how the actual eviction of tenants drives the individuals thus cast upon the world to vindictive courses of violence and outrage.

Rev. Michael Keogh.

"To what do you attribute the commencement of these outrages?—The poverty of the people, and a great many having been ejected from their lands.

"State the particulars of the ejectments?—On Mr. Cosby's estate there were a great many ejected; I have made inquiries of late into the matter, and from all the information I could collect, I found there were 174 families ejected.

"How many, upon an average, were there in each family?—I do not know the number; on Mr. Cassan's estate there were a great many ejected; and Mr. Johnson ejected thirty-four families.

"Were there any other cases?—Dr. Doxay, middle landlord in Ballyrone, ejected a few families, and they became very disorderly people. Mr. Roe also ejected others, and they turned out very bad; and many others whom I do not immediately recollect.

"Was Mr. Roe, like Dr. Doxay, a middleman?—Yes.

"Were those persons ejected during the term of their leases, or at the expiration of the term of their leases?—They were ejected principally at the expiration of their leases.

"Do you know whether those persons so ejected remain still in the country?—A great many of them do.

"Where did they put themselves?—A great many crowded into Ballyrone, which is a village on the decline, and they got lodgings cheaper there; they flocked there and into the neighbouring villages.

"Was it at Ballyrone the disturbances began?—No, it was not.

"Where did they begin?—They first began at Ballinclair, near Timahoe, on Mr. Cosby's estate.

"Subsequent to the ejectment of those people?—Yes.

"Those people were scattered through different parts of the county, carrying with them discontent wherever they went?—Yes; and they but too well succeeded in their objects.

"Do you conceive that is the cause, in a great degree, of the disturbance that has since taken place?—Yes, I am convinced of it."—Minutes of Evidence, House of Commons, 1832. Nos. 4636-41; 4650-6.

Rev. John Delaney, parish priest of Ballynakill, Queen's County.

"You have stated that there is nothing political in these combinations, that they arise chiefly from local causes; can you state any circumstances that have occurred in your neighbourhood of late years that might have contributed to those combinations?—There have a great many causes occurred in neighbouring parishes, and perhaps some in my own. I will state one that occurred in my own parish: there were three families, comprising twenty-three individuals; the heads of those families were accused of having cut scollops or switches for the purpose of thatching their cabins, or perhaps for sale; there were some ash and oak. The parties so offending were summoned, and a fine of 5*l.* recorded against them; the landlord gave them the option of going out instantler (it was in the depth of winter, in November), forgiving them the arrears due and the fine, or pay the fine, and be served with notice to quit in six months; they chose the first alternative, and went out; their families were scattered over the parish. The next summer, 1830, was one of famine with us; we were obliged to introduce a sort of poor-rate, to keep the people from starving and dying in the ditches; two of those families were thrown upon the parish, and I had to support them myself; there was not so ample a provision for the poor in the district where they lived; they came into the neighbourhood of the town; the people in the town very naturally objected to their being

thrown upon their fund, and I had to give them 2s. or 3s. a week to support them; one of the poor men lost his cow. Some time after being turned out, a series of calamities befel him; he took ill, and after lingering a long time in a state of the utmost destitution and misery, died of a broken heart. The sons of this man, together with a son of the second family above mentioned, became leaders in this system of Ribbonism, and I have reason to believe were some of the most daring and ferocious amongst them; one of them to this day has held out against all my admonitions, and has not yet surrendered himself.

“Did any other cases of considerable hardship occur in your neighbourhood?—There was a vast number of persons in the course of the last seven years ejected from the estate of the late Mr. Cosby; some of them came into my parish, and I found them exceedingly troublesome, and disposed to engage in those illegal associations; at length I was under the necessity of speaking to the farmers, and implored them not to encourage such characters, and if possible to prevent their settling on their land; and in truth it was no easy matter, for if they found an out-house unoccupied they would literally force themselves into it, and keep possession until they could procure shelter elsewhere, or until their participation in some act of outrage, or their attempts to propagate their favourite system, fell under the notice of myself or my assistant, and obliged us in self-defence to expel them from the parish. Our conduct in this respect was by them considered very severe and even cruel, and, I have reason to know, brought down on us their bitterest resentment. It was to those persons I alluded in the early part of my evidence, where I stated that I cautioned the farmers not to receive strangers, and forbade them to resort to my chapel.”—Minutes of Evidence, House of Commons, 1832. Nos. 4373 and 4377.

Robert Cassidy, Esq.

“You live in the Queen’s County?—I do.

" It has been in a very disturbed state, has it not?—Part of it.

" Would you state to the Committee what you consider to have been the cause and origin of that disturbance?—The state of the county has been more or less in a state of disturbance, or rather dissatisfaction, for some years; but I consider that since May, 1831, those disturbances have become more extensive, and more atrocious in their character, and the nature of the crimes which have been perpetrated has been more aggravated. The cause, I think, has been much longer than the effect: the prevalent distress of the country, to which nine-tenths of the population are subject, makes them very easily attend to any prospect held out to them for bettering their condition. The eviction of tenants, the low rate of wages, and the generally oppressive conduct of the people to whom the labouring classes have been subjected, have been the prime causes of the combinations amongst the people.

" Then you trace it, in a great measure, to the persons that have been dispossessed of their lands?—I conceive that the turning off of tenants has been the principal means of uniting the people for a common cause."—*Ibid.* Nos. 5953-6.

Mr. John Cahill, surveyor and civil engineer, resident in the Queen's County.

" Has the system of dividing land been general in your part of the country?—Not of late.

" Then the landlords find, when their leases fall out, numerous tenants on their land, which they themselves had actually not put on the land, namely, as being under-tenants of their tenants; is that so?—Gentlemen have agreed to make the farms, in my opinion, as large as possible, and those people who remain on the farms are generally evicted and put off, as is the case which I stated of those gentlemen who turned out the numbers I have stated.

" Do you conceive that it has been these individuals who have been so turned out from want of having proper means of supporting themselves, who have become wanderers and va-

grants, and the source of the Whitefeet association that prevailed in that part of the country?—I do very much consider so; there were 1126 of those poor people who were evicted, with the idle colliers going about, left idle in a part of two parishes, and all that within about six miles of each other.

“How does it happen you are able to speak with so much accuracy and confidence on the numbers?—Knowing the barony so uncommonly well, and I have gone through the collieries making the inquiry, and knowing the greater part of all the families that were evicted.

“Do you know them by name?—Yes, I have their names.

“Are you able to trace what has become of them in the course of the last four years?—Yes.

“State generally what has become of them. Do they continue wandering about?—I have known on one estate, which is near me, and which I had regulated for a gentleman, there has been a great many of the old people turned off that became beggars, and a good many of them died of want.

“Do you mean died from want?—A kind of distress; being turned out of their houses, and many of them became beggars and died; more of them are labouring in different parts of the country, but the old people in general died: I can state to the Committee the number that died to my own knowledge.

“When those people are ejected, is it customary for them to remain lurking about the place where they formerly resided?—When they are ejected they are generally put in by the agents at 6*d.* per week, and left a little while until it is convenient for them to remove, generally perhaps a quarter of a year, or two months, and then they become paupers; because, according to the Subletting Act, they can get no land; at least it so happens in my neighbourhood.

“You have stated a great number of people were evicted; are all those who were evicted, except those who have died, remaining in the neighbourhood of the place where they lived?—But very few.

“What has become of the rest?—I do suppose some of them are in Dublin; many have got off into the country and county Kildare, at service.

"The Committee are not to understand the whole, nor anything like the whole that were evicted, remained as disturbers or vagrants in the county?—I believe they do; some of them I know myself, and indeed I believe those that do remain are the most troublesome; that is my opinion."—Minutes of Evidence, House of Commons, Nos. 7256—87.

The Rev. Mr. O'Connor, parish priest of Maryborough, after stating that certain tenants in the Queen's County were ejected by their landlords because they refused to send their children to a Kildare-street school, goes on to say:—

"Those persons were all turned out of their houses; most of them went towards the colliery district, and have become leaders of the Whitefeet. When men become reckless of character and principle by intolerable misery, they disregard every moral obligation."—Ib. No. 3189.

Matthew Barrington, Esq.

"Have you in your experience of Ireland known great misery suffered by those persons who have been ejected from their properties, from having no provision made for them when they have been turned off their land?—I have, certainly. I knew one instance which led to a desperate murder on Lord Stradbrook's estate at Bilboa: the farm was out of lease, and during the lease a great number of people had been allowed to reside on it. Mr. Blood, the gentleman who was murdered in Clare last year, took possession of the farm as agent of Lord Stradbrook, dispossessed the tenants, and levelled their houses, and they were thrown out on the road; the succeeding tenant was immediately after murdered."—Ib. No. 14.

If the landlord, instead of proceeding by ejectment, adopts the milder course of distraint, the fate of the cottier-tenant is only one degree better.

George Bennett, Esq.

"Will you explain to the Committee the different effects of

proceeding by distress against a number of small farmers and against the large farmers ; suppose a number of mere peasants, occupying tenements by the road side, what would be the articles against which the distress of landlord would proceed ? —Against a mere cottage-tenant it would be their furniture and their pig, and, if they have one, their cow, but that they would not be likely to have.

“ Then the effect of a distress upon a small farmer is infinitely more severe than it is acting upon a large farmer ; does the proceeding by distress, as against the small farmers, frequently extend to the sale of the potatoes, and the actual means of support of their family ?—They may distrain the potatoes.

“ Are you aware whether, in point of fact, it does frequently take place in those small sub-divisions of land ?—I have known many instances where they have been distrained ; I cannot say that that is the general custom in the country to distrain all the food and all the property of the peasantry, it is not the general custom, but there have been instances of it.

“ Then do you conceive that this increasing sub-division of land, and the effect which that produces upon the mode of recovering rent, has had any connexion with the disturbances that have lately prevailed in Ireland ?—I do think that it has a very great connexion with the disturbances.

“ You have described the usual modes of proceeding of landlords to recover their rent,—what are almost the necessary consequence of those proceedings, with regard to the interest of the landlord ; does not the ruin of the tenant naturally follow ?—Certainly ; if the landlord proceeds by that severe mode of distress.”—Minutes of Evidence, House of Commons, 1824, p. 86.

There is so much permanent misery in the southern and western parts of Ireland ; the mass of the country population are in such a state of depression and suffering ; they have so little either to hope or to fear, that they are ready at almost any time, to break out

into disturbances, in order if not to repeal, at least to weaken that law which they have always been accustomed to consider as their enemy. Thus Mr. Barrington, after having stated the manner in which persons are sworn in by the Whiteboys, is asked—

“ You seem inclined to think that they go through the country to swear the people as a matter of business?—I have no doubt they do.

“ The parties who do this are sometimes, as was the case in Clare, not more numerous than eight or nine individuals?—If you trace back any disturbance to its origin in any of these counties, you will find that it arose from some trifling circumstance. In the county of Limerick it arose from the local cause I have mentioned on the Courtenay estate, and in Clare it was chiefly occasioned by the Caseys.

“ What was it that led to it in the county of Clare?—The want of potato ground; and just previously there had been several contested elections, which brought the people much together, in addition to the extreme excitement of an election.

“ Had the individuals composing these gangs been conspicuous before, as persons committing breaches of the law?—No; they had rather been a quiet family: three of the brothers were executed. Soon after the disturbance was at its height they were apprehended, and each offered himself as an approver. It was not thought prudent to take either of them, but another man of the name of Sheehan was taken as an approver against them; each offered to betray all his companions. The great object should always be to have an approver in every case, as nothing destroys confidence or breaks up a gang so much.

“ Your testimony goes generally to the inflammable state of the community, that they are ready prepared, and want nothing but ignition?—To a great extent it is so; and the peaceable and well-intentioned people are always compelled to join. I do not mean to give such a character to the whole population of Ireland; but I take it, that if there were twenty bad men in

a barony, they would set the whole county in a flame, unless they were checked.

"Then if there are so few that excite these disturbances, can you give us any reason why it is that they are not arrested?—It is not known that they do excite them until after the disturbance is got to its height; you can generally trace back the disturbance to such a cause."—Minutes of Evidence, House of Commons, 1832. Nos. 38—41; 45—6.

There is a saying mentioned by Fielding, that "when children are doing nothing, they are doing mischief." This remark may probably in most cases be extended to *men*: at least, among the peasantry of Ireland, the want of employment is the cause of crime, not only by creating poverty, and making them dependent on land for their subsistence, but also by affording opportunity and leisure for the commission of outrage. Men who worked during the daytime would be little inclined to spend their nights in Whiteboy expeditions.

It might be supposed, from what has been said, that the disposition to outrage varies directly with the misery of the people; that in proportion as the inhabitants of any district are ill-fed, clothed, and housed, oppressed with heavy charges, and scantily provided with employment for hire; in the same degree disturbances and Whiteboy crimes abound. This, however, is not the case; there appears to be a certain pitch of wretchedness which breaks the spirit, and produces a dull lethargic languor; by which people are incapacitated from having recourse to the active measures required for waging the Whiteboy warfare*. The fol-

* It was probably a perception of this fact which led Colonel Rochfort, a magistrate of the Queen's County, to express the following opinions:—

"Do you think it reasonable to expect permanent tranquillity in Ire-

lowing example, to which others might be added, is mentioned by Major Warburton.

“ Do you conceive that the mass of the population in the county of Clare is very miserably provided with food and lodging, and bedding, and the other necessities of life?—Indeed they are.

“ Could you speak of them comparatively with those in the same class of life in the county of Limerick, on the opposite side of the Shannon?—My knowledge of Limerick is very limited, but I would not say there was any very substantial difference; I think the people of Clare are a better disposed peasantry than those in Limerick, but I do not think, in point of comfort or accommodation, there is any very substantial difference between the peasantry of the one county and the other.

“ Have you observed the peasantry in the neighbourhood of Rathkeale?—I have seen them.

“ Are there many parts of the county of Clare in which the mass of the peasantry are equally well provided with the common comforts of life, with the peasantry in the vicinity of Rathkeale?—I think I have almost answered that already; I do not think there is a great deal of difference between them; the wretchedness in some of the western parts of the county of Clare is as great as human nature can almost be subject to.

“ Have you found, generally, that the disposition to outrage among the peasantry of Clare is proportionate to the degree of misery they endure?—On the contrary, the part I allude to has for some time been, indeed I may almost say since the time I went down in 1816, the most tranquil part of that district.

“ Will you state the name of that district?—The district I

land, when there is such a state of wretchedness, and the people so badly clothed, fed, and housed?—My abstract opinion is, the lower in the scale of society the populace is, the more sure you are of its obedience.

“ In order to keep the country quiet, you would keep the country wretched?—I would not keep it so, but I think it would secure the tranquillity of the country.”—House of Commons, 1832, Nos. 1225-6.

allude to is the coast district, from Kilrush to Galway Bay."—Minutes of Evidence, House of Commons, 1824, p. 126.

The disturbances in question appear to prevail most where the peasantry are bold and robust, and one degree removed above the lowest poverty; and where the land is productive, and consequently thickly peopled. Thus one of the most disturbed districts in Ireland is that singularly fertile plain which extends from Cashel into the county of Limerick; indeed, the southern part of the county of Tipperary appears, from the very beginning, to have been remarkable for its disturbances*. On the other hand, in mountainous and thinly-peopled districts (such as Kerry, the south of Cork, and the west of Clare†), where the peasants are poorer, but the population is thinner, and there is less opportunity for combination, these crimes are of comparatively rare occurrence. The cause of this difference will appear more clearly when we come to treat of the *character* of the Whiteboy associations; if the Whiteboys were bands of robbers, like the banditti of southern Italy and Spain, or the Klephts of Greece, they would be cut off from the rest of the people, on whom they would prey indiscriminately; and they would seek to hide themselves in caves and mountains. But, instead of forming distinct and separate bodies, they are taken almost indiscriminately, like jurymen, from the mass of the population, into which, when their work is done, they melt again, undistinguishable from their friends and neighbours.

It may be further remarked that some active interference, either actual or apprehended, with the ordinary

* See above pp. 6. 18.

† The district mentioned above by Major Warburton.

state of the peasantry is required, in order to rouse them to aggressive measures ; some positive ill usage or infliction of evil, such as ejectment from land, driving for rent, &c. : to the mere passive state of suffering produced by scantiness of food, or the failure of the potato crop, the Irish peasants, a class remarkable for their patient endurance, are willing to submit ; and hence we find, that, at times, when a large part of the population are hanging over the verge of starvation, (a state in which the English peasantry would infallibly break out into disturbance,) the country is nevertheless for the most part tranquil. This appears from the statements of the same witness, with respect to the western part of the barony of Moyferta, county of Clare, (the south-western extremity of the county.)

“ You cannot forget, in the year of distress, how that part of the barony was affected ?—Nothing could exceed the misery of it.

“ Are you aware how many thousand souls were left entirely destitute by the failure of that sort of supply which they had been accustomed to trust to for support ?—I paid a great deal of attention to the subject at that time ; and I know, that early in March, there were hundreds of families that lived upon one meal a day.

“ What was that meal composed of ?—They pared their potatoes, and they mixed them up, indeed, sometimes with seaweed ; the period that I allude to, was when they had but one meal a day, and that very soon was consumed.

“ What was the conduct and deportment of the peasantry of this district, so thickly peopled, in this state of peculiar suffering ?—I recollect perfectly, in the year 1817, when outrages were committing in other parts of the country, and particularly in the vicinity of Ennis, stores broken open and provisions carried off, at that time we were enabled to bring cargoes of provisions through the town of Kilrush, backwards and for-

wards, to send them up to Limerick, without the least interruption; it was wonderful that the people bore it with such patience; I am alluding to 1817.

"Will you describe their conduct in that district during the year 1822, under those sufferings?—There was no instance of any violence whatever that came to my knowledge; the people bore it most astonishingly, and were exceedingly easily managed; all the arrangements that were made for their relief, they fell into with great regularity, and there was no difficulty with them."—House of Commons, 1824, p. 153.

In confirmation of what has just been stated, it may be added, that the Whiteboy crimes are generally committed in winter, during the long dark nights; whereas the great distress always occurs in summer, in the months of June and July, when a deficient potato crop is exhausted, and the new crop is not yet fit for food.

Having now adduced all the chief statements of the witnesses examined by the Committees above-mentioned, with respect to the *causes* of the local disturbances in Ireland, who agree generally (in Mr. Baron Foster's words), in assigning them to the poverty of the agricultural labourers and cottier tenants, and their inability to meet certain pecuniary charges; I shall abstain from commenting in detail on the manner in which rent and other payments press upon the Irish peasant, inasmuch as this would lead to a discussion of the tenure of land, the system of agriculture, and other important questions, altogether foreign to the immediate object of the present work. With regard to the system of managing landed property, I will only add the testimony of Mr. Wakefield, who (although not, perhaps, of equal authority to the persons whose evidence has been above adduced) yet might, in this

instance, if it were necessary, he confirmed by a host of witnesses.

"In Ireland, landlords never erect buildings on their property, or expend anything in repairs; nor do leases in that country contain so many clauses as in England. The office of an agent is thus rendered very easy, for he has nothing to do but to receive his employer's rents twice a-year, and to set out the turf-bog in lots in the spring. Six months' credit is generally given on the rents, which is called 'the hanging gale.' This is one of the great levers of oppression by which the lower classes are kept in a kind of perpetual bondage; for as every family almost holds some portion of land, and owes half-a-year's rent, which a landlord can exact in a moment, this debt hangs over their heads like a load, and keeps them in a continual state of anxiety and terror. If the rent is not paid, the cattle are driven to the pound, and if suffered to remain there a certain number of days, they are sold. This I have frequently seen done after the occupying tenant had paid his rent to the middleman, who had failed to pay it to the head landlord. The numerous instances of distress occasioned by this severity, which every one who has resided any time in Ireland must have witnessed, are truly deplorable; and I believe them to be one of the chief causes of those frequent risings of the people, under various denominations, which at different times have disturbed the internal tranquillity of the country, and been attended with atrocities shocking to humanity, and disgraceful to the empire*."

* Wakefield's Account of Ireland, vol. i. p. 244.

CHAPTER III.

CHARACTER AND OBJECTS OF IRISH DISTURBANCES.

HAVING thus attempted to trace the *causes* of the Whiteboy disturbances in Ireland, we now proceed to consider their *nature* and *character*, and the *objects* which the persons concerned in them seek to attain.

In order to comprehend the peculiar character of the offences springing from the Whiteboy system in Ireland, it is desirable to consider all crimes as divided into two classes, not according to the ordinary distinction of crimes against the person, and crimes against property, but with reference to the *motive* with which they are committed, or the *effect* which they are intended to produce.

Under one class may be arranged those which are intended to intimidate, to determine men's wills, to produce a *general* effect, not necessarily even limited to the individual whose person or property is the object of the crime, but at any rate calculated to influence his conduct in respect of some future action. Such are threatening notices, malicious injury to property, beatings, murders, &c., in consequence of some act of the party injurious to a particular person, or to classes of persons. The object of these is either directly to *prevent*, or to *compel the performance of some future act*, which a specified individual is supposed to be likely to perform or not to perform; as when a man is threatened, either orally or by a written notice, that he will

be killed if he ejects or admits such a tenant,—if he dismisses or does not dismiss such a servant,—if he prosecutes or gives evidence against such a party; or, secondly, it is to *punish a party for having done some act*; as when a person is killed or beaten, his house or ricks burnt, his cattle maimed or mutilated, his wife or daughter ravished, because he has ejected or admitted such a tenant, because he has dismissed or not dismissed such a servant, because he has prosecuted or given evidence against such a party. In the former of these two cases, the party is called on to do, or forbear from some designated act, on pain of a threatened evil; in the latter, the evil is actually inflicted on him, for having conducted himself in a manner either known by public fame to be obnoxious, or contrary to express orders conveyed to him. In both these cases, it will be observed, the offenders undertake to carry into effect their wishes, by means not of *moral* but of *physical* sanctions; to give to their opinion the weight of the law of the state, by arming it with sanctions as painful as those employed by the criminal law; viz., death, corporal punishment, and loss of property. The outrages in question are committed by the offenders as administrators of a law of opinion, generally prevalent among the class to which they belong. In this character they look, not merely to particular, but also to general results; not merely to the present, but also to the future; not merely to themselves, but also to those with whom they are leagued, and with whom they have an identity of interests. The criminal, who acts with these views, is as it were an executioner, who carries into effect the verdict of an uncertain and non-apparent tribunal; and it usually happens that others

profit more by his offence than he himself who committed it.

To the other class may be referred those crimes whose effect is limited to that which is actually done by the offender, without reference to any influence on the future conduct of any individual: as when a homicide is committed from motives of personal vengeance, or under the momentary excitement of drunkenness or party quarrel: when a house is broken open simply to obtain property: when a man is robbed on the highway: when a woman is carried away and forced to marry a particular person. In these cases no general or prospective result is intended; the criminal merely seeks to gratify his own malice or avarice, or to satisfy his own personal and present want by the act. It is obvious that the same act might fall under the one or the other of these two classes, according to the motive with which it was done: for example, a homicide committed by a burglar merely to facilitate his robbery would belong to the latter class: but if it was done in order to punish a man, and to let the world know that all who acted in a similar manner would be similarly treated, it belongs to the former class.

Now the characteristic difference between the crimes of Ireland, and of England, France, and indeed of almost every civilized country in the world, is that in a large part of Ireland the former class appears to preponderate considerably beyond the latter: whereas, in other countries, the former class of crimes is so small, that at ordinary times it can scarcely be said to have any existence*. The preponderance of the exemplary or

* M. Guerry, in his important work on the Moral Statistics of France, p. 31, gives the following table for France, of the apparent motives of the

preventive crimes may be particularly seen in certain districts of Ireland : thus in Munster, in the year 1833, illegal notices, administering unlawful oaths, assaults connected with combination, attacks on houses, burnings, maiming of cattle, malicious injury to property, and appearing in arms, nearly all of which were of this description, comprehended 627 out of a total of 973 crimes : and even of the others, as homicides, firing at persons, rescues, illegal meetings, &c., many were doubtless committed with the same motive*.

The only crimes recently committed in England with the same general intention are, the fires and riots produced by the administration of the poor-laws, which had the effect of intimidating the overseers and magistrates, and of inducing them to give a higher scale of allowance to paupers†. The crimes committed by

four most serious crimes, viz., poisoning, murder, manslaughter, and arson.

	Out of 1000 crimes
1. Hatred, vengeance, resentment	264
2. Domestic dissensions, hatred among relations	143
3. Quarrels in gambling or in public-houses	113
4. Theft (in order to accomplish it or to prevent punishment for it)	102
5. Accidental quarrels and encounters	94
6. Disputes arising from interest or from neighbourhood	80
7. Adultery	64
8. Incontinence, concubinage, seduction	53
9. Desire of obtaining a succession or extinguishing an annuity	26
10. Desire of obtaining a sum of money insured on lives or property	25
11. Love slighted or thwarted, refusal of marriage	20
12. Jealousy	16
	1000

Nothing can offer a stronger contrast than this table, in which everything is *personal*, to the ordinary motives of the worst crimes in Ireland.

* See note (B.) at the end.

† " Labourers who had been refused relief had been heard to leave their vestries saying almost aloud, '*You all want a few more good fires!*' Intimidation, however ashamed they may be to confess it, in many cases

members of trades' unions, or by their procurement, were also of the same complexion: thus the murder of Mr. Ashton by Garside and his accomplice, was intended to punish him for his violation of the laws of the union, and to strike terror into those mill-owners who might otherwise be inclined to transgress them.

It is to the state of things which we exhibited in the last chapter, to the wretched condition of the mass of the Irish peasantry, their inability to obtain employment for hire, and their consequent dependence on land; to the system of combination and self-defence this engendered; in short, to the prevalence of the Whiteboy spirit *, that this peculiar character of Irish crimes is to be attributed. It has been already explained, how the Irish peasant, constantly living in extreme poverty, is liable by the pressure of certain charges, or by ejection from his holding, to be driven to utter destitution,—to a state in which himself and family can only rely on a most precarious charity to save them from exposure to the elements, from nakedness, and from starvation. It is natural that the most improvident persons should seek to struggle against such fearful consequences as these: that they should try to use some means of quieting apprehensions which (even if never realized) would themselves be sufficient to embitter the life of the most thoughtless: and it is

had been successfully exerted, and designing men were still endeavouring to promulgate to the disaffected the maxim that fire would produce relief, and that relief alone could extinguish fire."—Sir F. Head's *English Charity*, p. 94.

* We use the term *Whiteboy*, in a general sense, to include all those disturbances and outrages which have been carried on not only by the Whiteboys, but also by the Rightboys, the Threshers, the Whitefeet, and Blackfeet, the Terry Alts, Captain Rock's men, &c., as it is the best known expression, and as the Act specially meant to put down this class of offences, and which describes them in the recital, is called the Whiteboy Act. Above, p. 10.

to afford this security that the Whiteboy combinations are formed. The Whiteboy association may be considered as a vast trades' union for the protection of the Irish peasantry: the object being, not to regulate the rate of wages, or the hours of work, but to keep the actual occupant in possession of his land, and in general to regulate the relation of landlord and tenant for the benefit of the latter. Certain other objects are occasionally added, the chief of which is to prevent the employment of a stranger, the quantity of work being, in the opinion of the labourers, already insufficient for the natives: at times, moreover, the Whiteboys (as we have already seen) have sought to reduce the rate of tithe, or to prevent its collection, or to lower the priests' dues. These combinations being constantly in existence, and working with weapons which may be turned to any purpose, the objects have perhaps somewhat varied: but in general they have been restricted simply to the occupation of land and the several payments immediately connected with it.

Before we proceed to show, by extracts, that the regulation of the terms on which land is to be held is the predominant end of the Whiteboy combinations, it may be proper to remark, that the *possession of arms* is in general the first object aimed at, inasmuch as this affords the only means by which their laws can be enforced. The possession of arms, however, not being the ultimate object of these associators, we shall postpone what we have to say on this head until we come to treat of the machinery by which their system is worked.

That the object of the Whiteboys is *general*, and that they seek to enforce certain laws, for the purpose

of removing certain evils, is forcibly stated in the following passage of a despatch from Lord Wellesley, as Lord Lieutenant of Ireland, to Lord Melbourne, dated 15th April, 1834 :—

“ A complete system of legislation, with the most prompt, vigorous, and severe executive power, sworn, equipped, and armed for all purposes of savage punishment, is established in almost every district. On this subject I cannot express my opinions more clearly, nor with more force nor justice, than your lordship will find employed in a letter addressed by Lord Oxmantown, lieutenant of the King’s County, to Mr. Littleton. Lord Oxmantown truly observes, that the combination established surpasses the law in vigour, promptitude, and efficacy, and that it is more safe to violate the law than to obey it.”—Papers relating to the State of Ireland. Ordered by the House of Commons to be printed 7th July, 1834, p. 5.

A similar statement is made by Colonel Ralph Johnson, a magistrate of the Queen’s County :—

“ What do you imagine to be the object of this association ?—I have said before, it is intimidation,—to legislate ; they conceive they have grievances, and they take this mode of redressing them.

“ What grievances ?—Very many grievances, in my mind ; I think there is very great mismanagement of landed property ; it is very great, even on the part of resident landlords, although not to the same extent that exists with absentees.”—Minutes of Evidence, House of Commons, 1832, Nos. 763-4.

The same view, with regard to the assumed authority of these combined peasants, seeking to substitute their own law for that of the state, is also taken in a speech delivered in the Irish House of Commons by Mr. Browne, in reference to the disturbances of the Right-boys in 1787 :—

“ The legislature sitting there (he said), with a vain image

of authority, thought they governed the country; but a new power had risen in the land, who laughed at their edicts; a visionary monarch, a Captain Right, who seemed to have more real strength than the legislature ever had. This royal Will-o' th' Wisp, whom no man could catch, made laws infinitely more effectual, or better enforced, than those of parliament. . . His first law was to disarm all the Protestants in the country. There had been a law to disarm persons of another persuasion, which had been hung over them *in terrorem*, but never executed; but the law to disarm Protestants was very thoroughly carried into execution. As he had not by this means sufficiently supplied himself with arms and ammunition, his next step was to lay the whole country under contribution to purchase military stores. This was not sufficient, without securing the permanent obedience of his subjects, and therefore they were bound by an oath to obey blindly all his laws, without knowing what they might be."

To how great an extent a sense of *the general* character of the crimes of the Whiteboys is present in their minds, appears even from the common phraseology of the threatening notices, "that if the party does not comply with the order, he will suffer the death of so and so," referring to some remarkable murder; by which it is plain that such homicides are considered, not as casual acts of individual malice or vengeance, but as exemplary inflictions, intended to deter all others from such courses as led to the death of the individual referred to*.

* The following threatening letter, addressed to a person in the barony of Gallen, county of Mayo (which contains a different expression of the same feeling), is cited from a Mayo newspaper in the *Times* of 11th December, 1835:—

" NOTICE.

" Take notice Mr. John Waters of Stripe that unless you give up your transgressing and violating and attempting persecuting poor objects or poor miserable tenants remark that the country is not destitute of friends

It may be moreover remarked, that in their threatening letters they affect the form and phraseology of legal notices (of which examples will be given in the next chapter), thereby intimating that they administer a law subsidiary to, or rather substituted for, the law of the state.

That the main object of the Whiteboy disturbances is to keep the actual tenant in undisturbed possession of his holding, and to cause it to be transferred at his death to his family, by preventing and punishing ejection and the taking of land over another's head, is proved by a whole body of testimony. A secondary but not unfrequent object, is to regulate the rate of wages, by preventing the employment of strangers, or by requiring higher payment from the farmers. The Whiteboys, of late years, have rarely interfered with the collection of tithe, which was at one time their principal object of attack.

Before I proceed to the general statements of witnesses, I will lay before the reader an account of the objects or motives of the crimes committed in the province of Munster in the year 1833, so far as they could be collected from the reports made to the government by the inspectors-general of police. This Table (abstracted by the permission of the Irish government from the original Reports) will exhibit the comparative frequency of different motives, and will shew, at one glance, the peculiar character of the crimes in those parts of Ireland where the Whiteboy spirit prevails:—

or otherwise if you do not give over your foolishness or ignorance *you will be made an example in the country that never was beheld.*

" Here is to our foe of Stripe.

" Mr. John Waters, Esq., and I would be sorry to be in your clothes.

" CAPTAIN ROCK, Esq."

[illegible]

Motives of Crimes, as stated in the Reports of the Inspectors-General, committed in the Province of Munster in 1833.	Homicide.	Burning.	Strikes & Assault.	Threatening Notices.	Injury of Property.	Administering Illegal Oaths.	Attacks & Entry of Houses.	Putting into Dwellings.	Firing at Persons.	Attacks on Houses.	TOTAL.
<i>Crimes connected with the execution of the law.</i>											
To prevent or avenge the collection of rent, tithes, or county cess, or the taking of legal measures to enforce payment of them	1	2	30	2	1	..	1	1	3	6	47
To prevent the party from giving information to the military	..	..	..	1	..	..	..	..	..	..	1
To prevent the execution of a warrant	..	..	5	..	..	..	..	..	..	..	5
To rescue persons arrested	..	..	8	..	..	..	..	..	..	..	8
To prevent a party from prosecuting, or to punish him for prosecuting . .	..	..	3	1	..	1	2	..	..	..	7
To prevent from giving evidence in tithe cases . .	..	..	..	1	..	..	..	..	..	..	1
To punish for giving evidence against a party . .	..	..	1	..	..	..	..	..	..	..	1
To punish for conveying crown witnesses to the assizes	..	..	1	..	..	..	..	..	..	..	1
—											71
<i>Crimes connected with religious feeling.</i>											
To punish the party for being coerced to the Protestant faith . .	..	..	..	..	1	..	..	..	..	..	1
To prevent a Protestant clergyman burying a person supposed to be a Roman Catholic . .	..	..	1	..	..	..	..	..	..	..	1
—											2
<i>Crimes connected with political feeling.</i>											
To punish for voting for a candidate	..	1	1	..	..	..	..	..	..	..	2
To punish for not illuminating for a Member of Parliament	..	..	..	..	..	..	..	1	..	..	1
—											3
<i>Crimes connected with the payment of tithes.</i>											
To punish the party for paying tithes	..	..	1	..	..	..	..	..	..	..	1

IRISH DISTURBANCES.

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[illegible]

Motives of all the crimes committed in Munster, 1833, as far as can be collected from the Reports of the Inspectors-General:—

Crimes connected with the occupation of land . . .	140
employment of labourers . . .	67
collection of tithes, rent, and local	
taxes, and the enforcing of their payment by law . . .	71
payment of tithes . . .	10
Crimes committed in order to obtain arms . . .	65
connected with forced marriages . . .	13
religious feeling . . .	2
political feeling . . .	3
local party feeling (factions) . . .	28
Miscellaneous . . .	12

* 411

It will be seen that the general descriptions of the objects of the Whiteboy disturbances, given by the different witnesses, entirely agree with the details which have been just presented with respect to the province of Munster.

“The offences I allude to (says Mr. Justice Jebb, in addressing the grand jury of the county of Limerick in the Special Commission of 1831) are offences against statutes too well known to you under the name of the Whiteboy Acts; and that species of crime against which these Acts provide may be fairly characterized in a few words, as ‘a war of the peasantry against the proprietors and occupiers of land.’ The object of this warfare is to deprive the proprietors and occupiers of land of the power of disposing of their property as they may think fit, to dictate to them the terms on which their estates and property shall be dealt out to the peasantry, and to punish by all the means that can be resorted to such as disobey those dictates which the people think proper to issue †.”

* See further note (B).

† Report of the Proceedings under a Special Commission in the counties of Limerick and Clare in May and June, 1831. By Peter Gorman. p. 3.

"The pretence (says Chief Justice Bushe, on the disturbances in the Queen's County in 1832) has been the redress of grievances, some alleged to exist in one district and some in another, but all substantially of the same character. If a landlord looks for a good tenant, if a farmer proposes for a vacant farm, if a master hires a servant from another county or province, if a higher rent or lower wages have been paid than those confederates approve, if the tithes of the Protestant clergy in one county or the dues of the Roman Catholic clergy in another have exceeded that minimum which those confederates have established, all these have been represented from time to time as so many grievances, and the deluded people have persuaded themselves, or have been persuaded by others, to think that it was their duty to redress them *."

Matthew Barrington, Esq.:—

"Have you had opportunities of becoming acquainted with the associations commonly called the Whitefeet?—Not under that name, but under the various other names that the Whiteboy system has assumed at different times.

"You consider this association as a sort of part and branch of the general system of association which has existed in Ireland for so many years?—I do. I find that the Whiteboy system has for the last sixty years continued under different names; as, Peep-o'-day-boys, Thrashers, Whiteboys, Righters, Garders, Shanavats, Caravats, Rockites, Black-hens, Riskavallas, Ribbon-men, the Lady Clares, the Terry Alts; these latter were the names they assumed last year in Clare. Now we have the Whitefeet and Blackfeet. The outrages have been of the same kind for the last sixty years; the only variation is, that the horrid torture called 'carding' has not been used at all latterly; a few years back ~~that~~ system (which was a dreadful mode of torturing a person whom they wished to punish) was in frequent practice.

"In speaking of the objects of the associations, some are alleged to be for a repeal of tithes, and others for different

* Maryborough Special Commission, 1832. p. 3.

purposes?—They have always had objects connected more or less with land. The preamble to the Irish Act of 15 and 16 George III. almost describes the present state of the country. Associations have been formed for regulating the prices of land, attacking houses, administering oaths, delivering threatening notices, taking arms, taking horses at night and returning them again in the morning, taking away girls, murders of proctors and gaugers, preventing exportation of provisions, digging up land, destroying fences, houghing cattle, resisting the payment of tithes, and other outrages similar to those which have occurred in Clare last year, and which are now the subject of investigation in the Queen's County.

“ In what year did that Act pass?—In the year 1775; and it was considered the first Whiteboy Act in Ireland. [Above p. 10.]

“ Be good enough to explain what appears to you to be the cause of these several outrages?—Since I have been crown solicitor I have endeavoured to get at the root of the system by tracing each outrage to its immediate cause. A few of these cases will, I think, give much more information to the Committee than any general observations or opinions. I have traced the origin of almost every case I prosecuted, and I find that they generally arise from the attachment to, the dispossession of, or the change in the possession of land; hatred of tithe proctors prior to the Composition Act; and from the passing of that Act until the last year we had not in Munster a single outrage relating to tithe; previous to the Composition Act we had several murders of proctors. Then the compelling the reduction of prices of provisions, the want of employment, and in Clare the want of potato ground; the introduction of strangers as workmen. One of the outrages at Clare, for which fourteen men were convicted, was that of a Kerry man going to get work in Clare; his house was attacked and prostrated. I have never known a single case of direct hostility to the Government as a government, although hostility to the law leads to hostility to the Government; but as to direct opposition to the Government, I never knew an instance of that being the object.

" Can you mention any other cases?—The murder of Mr. Blood in Clare was by a gang of robbers, whose object was plunder. The murder of Maloney at Cratloe, in Clare, for taking a farm which another person had been dispossessed of. The attack on another Maloney in the same county, to compel him to set potato ground at a low rate (he died of the wounds he received). The attack of the Kerry men for going into that county to work. The murder of Mr. Hoskins in the county of Limerick, for his father endeavouring to enforce payment of rent without allowing an abatement which it was said had been promised. The murder of Mr. Going, for being a magistrate under the Insurrection Act. A great number of cases for compelling parties to quit the farms they had taken, of which others were dispossessed; the persons refusing to quit their farms were in some instances murdered, in others severely beaten. Frequent cases of attacks on witnesses for having prosecuted. Numbers of cases of taking arms of which the people are desirous to be possessed. And numerous cases of armed parties committing burglaries and robberies on the poor farmers *."—H. C. 1832. Nos. 2—7.

Rev. Nicholas O'Connor :—

" What are the principal objects they have in view?—To keep themselves upon their lands. I have often heard their conversations, when they say, ' What good did the emancipation do us? are we better clothed or fed, or our children better clothed and fed? are we not as naked as we were, and eating dry potatoes when we can get them? Let us notice the farmers to give us better food and better wages, and not give so much to the landlord and more to the workmen; we must not let them be turning the poor people off the ground.' Then some of them that went to England, and saw the way the English labourers are fed and clothed, came back and told them, ' If you saw the way that the English labourers lived,

* Mr. Barrington gave evidence to the same effect before the Lords' Committee in 1825, p. 302, which it is unnecessary to cite, as his opinions are more fully developed in the extract in the text.

you would never live as you do;' and some person from another part of the country told them that they managed things a great deal better; that the way 'was to swear to be true to each other, and join to keep the people upon their ground, and not let the landlords be turning them off; then proposed that they should meet at some shebeen-house, of which there are too many unfortunately in the country, or some licensed house of low description, where they get drunk and become demoralized, and thus they are seduced into the Whitefoot system.'" H. C., 1832. No. 3192.

The Rev. James Delaney, parish priest of Ballynakill, in the Queen's County, after having stated that the spirit of combination became first extensively prevalent in his parish about 1830, is asked—

"In what way did it show itself so extensively?—In serving notices; in enforcing what they conceived to be rights, family settlements, &c.; requiring the surrender of lands that had passed out of the hands of the former occupants some sixteen or seventeen years before; taking up arms, and beating those obnoxious to them.

"Were their measures directed against the Government?—Not in any instance.

"Were they directed against the gentlemen?—No, they were matters rather of a personal or domestic nature about which they latterly interfered; but at first this system showed itself in an effort to raise the rate of wages and better the condition of the labourer.

"And in all matters in which they felt a personal interest?—Yes, they were mostly personal or family disputes; they were generally of that character.

"From 1830 did it continue extending?—Yes, it spread very much; many persons were served with notices to give up lands, arms taken from some, and others beaten to compel them to enter into their associations.

"What are their own feelings about their own condition as

to their causes of complaint?—They complain that the con-acre rents are very high, the wages they receive exceedingly low, and totally inadequate to enable them to support their families, and that they cannot obtain employment.”—H. C., 1832. Nos. 4349—53 4358—60.

Rev. John Kiely, parish priest of Mitchelstown,  County of Cork :—

“ Had those disturbances any relation, in your opinion, to the Government ?—Not that I could ever discover.

“ It was merely confined to rents and lands ?—It was merely confined to the keeping persons in their farms, the keeping occupants in the occupation of their lands, from whence they were liable to be removed by ejectments or by distress and the sale of their effects.

To what district does your evidence relate ?—To the country through which the disturbances prevailed, so far as I know it,—in the county of Cork and part of the County of Limerick. I am not sufficiently acquainted with the county of Tipperary to answer the question as to that district.”—H. L., 1825, p. 317, 318.

Mr. Bennett, being asked what was the character of the disturbances in the county of Kildare and the Queen’s County in 1823, says :—

“ The character appeared to me to be resulting from a conspiracy to prevent any person from taking land, or from possessing land, from which the previous tenant had been ejected for rent, and threatening strangers of every description from coming into the country; also particularly directed against witnesses who either have come forward, or it was apprehended would come forward, to give evidence upon criminal prosecutions, or with respect to land; that was the impression that was made upon my mind from the evidence I received.” H. L., 1824, p. 24.

The O’Connor Don, M.P., states that in the county

of Roscommon (which was partially disturbed for some months in 1831) the disturbance showed itself—

“ By the serving threatening notices, tendering illegal oaths, burning and destroying property, levelling the walls and ditches of many of the landlords, insisting upon their raising the hire of their labourers, and reducing the rents of their ground in general, and of con-acre in particular.”—H. C., 1832. No. 289.

Major Warburton :—

“ Was there any and what difference in the character of the outrages which prevailed in the three western baronies, antecedent to 1816, from the character of the outrages which have latterly prevailed in the two eastern baronies?—In the year 1816 it was more an intimidating system; I think they used to flog and to card.

“ Against whom were the floggings and the cardings directed?—They were various parties; in some cases the tithe proctors; but the object of it in other cases were farmers who let what they called mock ground, at too high rates.

“ What do you mean by mock ground?—They call it in that country mock ground because they have it only for the season.

“ Do you not refer to muck ground?—It may be; they call it corn-acre.

“ The too high price of corn-acre was one matter that caused their intimidation?—Yes.

William Henry Despard, Esq., a Magistrate and Grand Juror of the Queen's County, being asked as to the character of the Whiteboy associations in that county in 1829, answers :—

“ Serving illegal notices, attacking houses for arms, beating people who took land, and administering unlawful oaths.”—H. C., 1832. No. 308.

Henry Smyth, Esq., Magistrate of the Queen's County :—

" You live in the neighbourhood of Portarlington ?—Yes.

" What has been the state of that part of the country during the last six months ?—The internal state of that part of the country has been, and I fear, notwithstanding partial appearances, is, at present, very awful and very critical.

" What circumstances have occurred to induce you to form that opinion ?—There appears to be a combination, under the authority of a vague and mysterious person, styled Captain Rock, which interferes in all the transactions of life.

" How does it show itself ?—If a man takes a bit of ground, if he dismisses a servant or labourer, or employs a tradesman who is obnoxious to Captain Rock, or refuses to obey the mandates of Captain Rock, he receives an anonymous threatening notice ; if that notice is not complied with, he receives a visit from Captain Rock, attended by from ten to thirty or fifty of his people, who either destroy his property or injure his person.

" Does the system upon which they act practically amount to a successful resistance of the laws ?—Undoubtedly."—H. C., 1832. Nos. 4559—63.

Hovenden Stapleton, Esq., Magistrate of the Queen's County :—

" To what objects have their operations been directed ?—In the first instance, the taking of arms ; during 1829 it was almost entirely confined to the taking of arms ; after that there was some cessation, but in the last year their object seems to have been the settlement and disposition of land and property of almost every kind.

" Do you consider that as their ultimate object ?—Their ultimate object I conceive to be the disposition and settlement of land ; to prevent any landlord taking land from a tenant, or preventing him doing what he pleases with his land.

* * * *

" You stated that the first object of the combinator ap-

peared to be the obtaining of arms?—That was the first object.

“Did this manifest itself before distinct grievances were complained of?—Tenants were dispossessed previously, but I did not hear much complaint of grievances; I have heard more of them here than anywhere else. I have never heard people in the country coming to complain of those causes.

“At this time there were no distinct complaints of local grievances?—I did not hear it.

“They began by interfering with the landlords in the letting of their property and the regulation of the wages?—Yes, in 1831.

“Was that the first in order of the grievances?—Yes; their operations were directed to attacking houses for arms, first by night, and then by day; they went in the day-time, and there was scarcely a person in the barony that was known to have arms that was not attacked, and the gentlemen who were leaving home were obliged to bring their arms with them or secrete them in their houses; but when all their arms were taken, then they turned their operation to the disposition and settlement of land.

“And the regulation of the wages?—Yes; any person who had taken a farm for the last ten or fifteen years was visited and severely beaten.”—H. C., 1832. Nos. 1516—7; 1746—51.

Major Thomas Powell, Inspector of Police in the province of Leinster:—

“Are you aware that the disturbances in the county of Kilkenny grew out of any combination for the purpose of preventing the dispossession of tenants by their landlords?—I am certain that it was produced by a combination to prevent the dispossession of old tenants, or to admit new tenantry.

“Are you aware of any recent instance of an outrage in the county, from that feeling?—The murder of Mr. Mason [Marum] was attributed to that feeling.

“Are you aware of any other instance, where there has been

a trial and conviction of persons for a murder committed?—I am.

“What case do you allude to?—I allude to the murder of a person of the name of Quarn.

“Was that at the last assizes?—Yes, it was.

“Was that murder perpetrated in the noon-day?—It was.

“And near the public mail-coach road?—It was.

“As it appeared to you, for the purpose of being revenged on a person who had taken land, and thereby offended some of the people of the country?—The person came in as a stranger, for the purpose of protecting the orphans of his brother.

“But it was considered an undue interference?—Quite so.

“And his servant was murdered in consequence?—Yes.

* * * * *

“What were the circumstances connected with Mr. Mason’s [Marum’s] case, to which you have alluded?—From what I have understood, Mr. Mason [Marum] was a great land-jobber, and was in the habit of taking land after tenants who were dispossessed or gave it up.

“Had he been a tithe proctor?—Not to my knowledge.

“Was he a Roman Catholic?—He was.

“Is not a near relation of his a Catholic bishop?—He is.

“Of what place?—Of Kilkenny.”—H. C., 1824, p. 169.

Mr. John Dunn, resident in the Queen’s County :—

“Have any other circumstances occurred in that barony to promote disturbance?—Yes; within the last six or eight years an individual has been much in the practice of taking lands, what they say in Ireland over other men’s heads, looking for reversionary leases; and it has caused a revival of the flame which I think was dying away, till this act revived it, turning out the occupying tenants and taking the lands into his own hands.

“Was this individual of the name of Marum, and was he not murdered lately in this barony?—That was his name; and he was murdered.

“Before him, had not this practice been acted upon by other persons?—It had; but not to the extent that he carried it on.

"Of what religion was Mr. Marum?—A Roman Catholic.

"Was he not connected with the Catholic bishop of Ossory?—A brother."—H. C., 1824. p. 266.

John Robinson Price, Esq., Magistrate of the Queen's County :—

"On the very borders of the barony of Ossory, on a noble Lord's estate, an ejectment was brought against the middleman; a *habere* issued, possession was taken, and the land was relet to a Mr. Marum, not to the tenants in possession, which is the usual way, for the six months' equity of redemption. Mr. Marum deluded the tenants with the hope that he took that land for their benefit; but when the six months expired he turned out those tenants, and I am told he sold their household effects for the six months' rent: the consequence was his cattle were houghed, and driven from the county of Kilkenny into the Queen's County, for that purpose: for three years this system was kept up, and Mr. Marum was shot in the open day afterwards, in the midst of a dense population."—H. C., 1832. No. 6676.

Colonel John Irwin, Magistrate, resident within eight miles of Sligo :—

"What is the state of the country in your neighbourhood, as to the tranquillity of it?—We are tranquil to the surface; we have occasionally, when whiskey puts the lower classes off their guard, riots at fairs, broken heads, and such like assaults; and we occasionally have a transaction of a worse nature; we have had two lately in our county. I should here beg leave to be permitted to add, that of late years, these riots have been most commonly directed by Roman Catholics against the Protestants.

"Of what description?—One was the burning the house of a man who had got notices two or three times to surrender his farm; he had taken it about two or three years ago, and a servant boy of his was burnt in the house. Another was, an attack upon an industrious man, I believe with a view of getting money, in which they exercised most barbarous cruelty;

an old woman they put upon the fire, and not content with that, they scored her with a red-hot iron.

"Were they common robbers, or connected with insurrection?—They came from that part of the county where we had reason to apprehend the insurrectionary spirit prevailed most; the borders of Mayo.

"Therefore you conclude, that was connected with an insurrectionary expedition?—They had associated and formed a body of men for the purpose; is was not an ordinary robbery.

"The first of those robberies arose out of a tenure of land?—Yes; the man having taken land two or three years ago, from which another had been evicted."—H. C., 1825. p. 693.

Mr. Blackburne likewise mentions two cases of Whiteboy outrage; in one of which the hiring of a stranger, in the other the taking of land over another man's head, was the obnoxious act.

"Hiring a stranger in the country is a matter against which confederacies have shown great hostility. A man calling himself Keilly, had, about three years ago, been charged with murder in the county of Kerry. He came to Limerick, where he contrived to earn a little money, from time to time, and to support himself; the circumstance of his having been so charged, was, I am now fully satisfied, well known in the county of Limerick; he became the servant of a person of the name of King, who had lately taken a farm of which another person had been dispossessed; a party of from nine to twelve persons determined to attack King's house, and after having drank a great deal of whiskey at a neighbouring public-house, they proceeded to King's, where they found Keilly; they had a double object to effect, that of punishing King for taking the land, and of punishing Keilly for being a stranger, and for hiring himself permanently in the country. King was not at his house, but they beat Keilly barbarously; I am sure that great numbers of persons were at the instant acquainted with that outrage. They continued to beat and belabour this unfortunate man for

an hour and a half; they affected to give him time to say his prayers, but they beat him in the way I have described, and left him, supposing he was dead; that was one of the worst outrages that has come within my knowledge; and the Committee will regard it as a singular circumstance, that though the people in the country could have got rid of Keilly, by giving him up to the law, and having him sent to Kerry to stand his trial for the murder, they preferred effecting their object, by doing justice, as they call it, themselves.

"Had this individual, who was the object of attack, given any other cause of offence than you have mentioned?—None whatever.

"Was there any feeling of general indignation at such an attack being made by twelve men acting in concert upon one unarmed man?—I do not think that his situation excited any commiseration; and I think there were nineteen or twenty witnesses produced by the prisoners, in order to make out cases of *alibi*, every one of whom were, I am persuaded, grossly and wilfully perjured.

* * * *

"Is there any misconstruction as to the nature of the lease; do they distinctly understand that they have only a temporary interest in it?—There is not the least misconstruction or misunderstanding on these subjects, not adverting to this particular instance of King's farm, which was one, that it required some capital to manage; but looking at the general system and condition of the country, the situation of a tenant in such a country as I have described, who is about to lose his land, must be considered. His land is his sole means of subsistence and support; it is really the only thing to which he can look as the means of preserving the existence of himself or his family; he therefore clings to it with the utmost determination. In truth, it is necessity that makes him look to the loss of the land as the greatest evil that can befall him.

"Is there any feeling that it is an act of positive injustice towards an old servant, to dispossess him of his land, or merely a feeling applicable to those persons who have land, and who

combine against all other persons that may be competitors for it?—I think it is both; they both think it unjust, and each poor man, who wishes to preserve the possession of his own land as tenant, of course willingly assists his neighbour when he wants assistance to effect the same purpose.”—H.C., 1825. pp. 8 and 9.

The Earl of Kingston, resident in the county of Cork:—

“Is your lordship acquainted with the circumstances which led to the murder of the family of Franks, in the county of Cork?—Franks’s were tenants of mine, and also of several other people; they were murdered, I think, at Mendstown, not on my estate, but not very far from it, not above half a mile or a mile from a farm they held from me; the young man had sworn, as I have heard and believe, against a man of the name of Shehan, for having fired at him, and this man was tried and transported for it; but it is generally believed now that Shehan was not guilty of that. The young man had also been extremely oppressive to his tenants and under-tenants, exacting the rent from them, and as heavy a rent as he could, when it was due, never by any chance paying his own, I am sorry to say (I was his landlord), and of course he might have done the same upon the other estates that he did upon mine. There was a conspiracy against him, and he and his father and mother were murdered.”—H. L., 1825. p. 435.

The Whiteboys, although their objects are for the most part defined and their laws known, sometimes interfere in an irregular and capricious, and what (as compared with their regular system) might be called an arbitrary and tyrannical manner.

Rev. Michael Keogh, Queen’s County:—

“You have stated you found out this combination; what did you believe to be object of the combination?—To obtain better wages, to lower the rent of land generally, and prevent others taking the land from which they were ejected.

"Were those the whole objects?—Yes, the principal objects; they also intruded themselves into the settlement of private differences.

"Was there anything about tithe?—I never heard that there was."—H. C., 1832. Nos. 4666-8.

Instances of this species of regulation are mentioned by Mr. John Edge, tenant of Newtown colliery:—

"Do the Whitefeet interfere with the private affairs of families?—They did in a way I conceived to be very unreasonable; a man took another man's daughter away, and some years after they came and beat the man in a most horrible manner to compel him to give a marriage portion. Another man swapped a horse, and they came and beat the fellow, and made him give back the money he had received in exchange; and in all the minute concerns of life, if they do not obey their mandate, they get a right good thrashing.

"Their objects appear to be local objects, and to arise from local causes, and they are little better than banditti?—I do not know how that is; but a great deal of mischief is done, and lives lost."—H. C., 1832. Nos. 2917-8.

The following statements are important, as showing, that although on some occasions the Whiteboy associations have been directed against tithe, they nevertheless are in general confined to land and the hiring of labourers: and in particular that the great and organized resistance to tithe in 1831 and 1832 was altogether independent of those combinations

Mr. John Dunn, resident at Ballynakill, in the Queen's County, is asked—

"What is the present state of that part of Ireland?—I regret to say it is very much disturbed indeed.

"To what do you attribute the disturbance?—I attribute it in a great measure to a body of men who congregate together for the purpose of regulating the price of labour, and prevent-

ing the interference of any person, with the occupance of the lands, where leases may determine, but the old tenants."—H. C. Committee on Tithes in Ireland, 1832. Nos. 2787-8.

* * *

"Are you aware of the combinations under the name of Blackfeet and Whitefeet in that part?—Yes; it has occupied and engrossed the attention of every man in Ireland for the last eighteen months. I have attended most minutely both at the assizes and at the court of quarter-sessions; I have seen crowds of those people brought to trial and convicted, and I never could collect anything beyond this—their associating and binding themselves under the obligation of an oath; that it appears by their acts they are quite ready to obey this obligation when called upon; that they commit dreadful outrages in the neighbourhood, yet their objects are principally directed to levy increased hire for their labour; to see that no person shall get the occupancy of another man's land, if the period of their term shall expire, or if they may be turned out under ejectment. I believe the best authorities have not been able to make out any further object that they have. They congregate in great numbers; they go to the public fairs and markets; they disturb the tranquillity of the place; in fact they destroy each other, and throw the whole country into a state of confusion, so that all the exertions that have been made have not put an end to their proceedings.

"Do you consider those disturbances connected with tithes?—I have watched their progress, and I have been present at the trial of great numbers, and in no case could I discover the slightest connexion with tithes, nor indeed amongst them scarce any person of the class who usually pay tithes."—*Ibid.* Nos. 2842-3.

Joseph Green, Esq., resident Magistrate of the county of Kilkenny:—

"What appears to you to be, in general, the object of those persons, the Whitefeet and the Blackfeet?—I think that their principal object is to prevent any person taking a farm that another has held, and to obtain fire-arms.

"Does their object appear to be confined to tithe?—No.

"Have you any reason for believing that those persons within your district who are opposing the collection of tithes have any ulterior object?—I think, generally speaking, not.

"Then you consider them, in fact, as a very different description of persons from the Whitefeet and the Blackfeet?—Yes, certainly."—H. C. Committee on Tithes in Ireland, 1832. Nos. 448-51.

Rev. Samuel Thomas Roberts, resident near Leighlin Bridge, county of Carlow :—

"You say that tithe and rent are in the same situation ; do you know any combination against rent?—With respect to a *combination*, I do not ; but I know that the *Whitefeet* threaten the people with respect to rent.

"Do you confound the people who oppose tithe with the Whitefeet and the Blackfeet?—No."—*Ibid.* Nos. 609-10.

* * * *

"Have not the Whitefeet in your neighbourhood engaged themselves in many other combinations besides the opposition to tithe?—They have threatened persons whom they visited at night, with respect to rent ; and in some instances, where men have lately occupied places that had been in the possession of others, they have recommended them to depart under peril of the consequences.

"Have they not seized arms?—They have.

"Have they not given notices against the taking of land?—I do not know that they have given any written or printed notices, but they have given verbal orders to people."—*Ibid.* Nos. 613-5.

Something of a more general description appears among the objects of Whiteboyism, in the confession of a man named Hickey, who was convicted and executed near Doneraile, in the county of Cork, in 1823. Mr. Newenham, who was high sheriff at the time, gives an account of what passed.

"I attended Hickey soon after sentence was passed; and on my return home that evening, I put down on this paper the communication there was between us. It is, as nearly as could be, in the words he used; he was considered the Captain Rock of that part of the country. I prefaced the questions by stating, 'Anything I now ask you, and you may answer, must be without any expectation that your life will be spared; your execution is certain.' The first question was, 'What object have you in view?—Getting rid of taxes, tithe, and things of that sort. The plan pursued would only destroy lives and property, and not gain your proposed end; it would render gentlemen less able to give employment?—Yes; but for one kind gentleman, there are ten the contrary. . . .

Was there any religious feeling in your proceedings?—The lower fellows spoke of this; but certainly that was not the idea amongst any of us; as a dying man I say so.' (This was said, I think, as he believed at the time, but it was contrary to what he before stated to Lord Doneraile.)"—H. C. 1824, p. 302; and see H. L., 1824, p. 182.

Little reliance is in general to be placed on the dying declarations of criminals, although they are often sought after with great eagerness; and in this case it seems that the prisoner gave different accounts of the same thing to different individuals. By *taxes*, he probably meant *county cess*, there being no direct tax in Ireland which falls on the poorer classes*; but though he represents the abolition of tithe as one of the objects, he distinctly disavows any religious motive. How far *religion* enters into the views of the Whiteboys; how far their combination partakes of an anti-Protestant character, is a question, not indeed hard of solution, but involved in some perplexity, on account of the many indistinct and inaccurate statements which have been

* See above, p. 75.

made on the subject of Irish disturbances, and the difficulty of distinguishing the Whiteboys from other disturbers of the public peace, who use nearly similar means for different purposes.

In viewing the question generally, without reference to evidence, it would appear *à priori* improbable that religious bigotry should manifest itself in the form of Whiteboy associations and Whiteboy outrages. When we look into history, it is certainly remarkable in how few instances religious hatred has been a *popular passion*—has been the simultaneous impulse of large masses of people. The great persecutions have all emanated from the government, supported by the priesthood, and have never met with any zealous concurrence on the part of the laity. Even, however, if it is admitted that there have been some cases in which a genuine popular tumult has originated in religious hatred (as against the Jews in different places during the middle ages) ; yet these have been mere transient bursts of feeling, succeeded by long periods of indifference or tolerance. But Whiteboyism is a permanent association, constantly watching over the observance of its rules, and pouncing from time to time on any transgressor of them ; it has nothing of the character of fervid and fanatical zeal which might be expected of a religious crusade : nothing of the disposition to push an advantage, which might be expected of an extirpator of heresy. It is a protective union, coolly, steadily, determinedly and unscrupulously working at its objects, but sleeping in apparent apathy so long as its regulations are not violated. That there ever was a religious crusade, which sprung spontaneously from the people, and was carried on by them without the interference of

the government, has not yet been shown; but that theological hatred should assume the form of a succession of individual and unconnected outrages, that it should lead to a sort of chronic religious war, is a phenomenon not only altogether unexampled, but inconsistent with the best established principles of human nature.

We will now proceed to examine the question more closely, and to arrange the very numerous statements which bear upon it.

In the first place it may be remarked, that those parts of Ireland in which religious animosities are (on account of the even balancing of the two parties) the most frequent, have ever been nearly free from White-boy combinations; while those districts which are the head-quarters of Whiteboyism, have been more free than any other part of Ireland from religious dissension; inasmuch as nearly the whole population of them is Catholic*.

"In the particular regions of disturbance (says Mr. Leslie Foster) I consider that religious animosities are and always have been less frequent than in other parts of Ireland. The great theatre of those differences are the northern counties of Ireland, in which the Insurrection Act has never been applied. Those religious animosities, however much to be regretted, have never led to insurrectionary movements; they have led to quarrels and personal outrages, but never to an attempt against the government."—H. L., 1825, p. 72.

* The dioceses of Ossory, Cashel and Emly probably include the most disturbed part of Ireland, (viz., the county of Kilkenny, the southern part of the county of Tipperary, and the south-east part of the county of Limerick.) In the first of these, (according to the Report of the Commissioners of Public Instruction), the Roman Catholics are above ninety-four per cent., in the second above ninety-six per cent., in the third above ninety-eight per cent. of the population.

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The same distinction is explained in the following able statement of Mr. Justice Day :—

“ Have the actual disturbances in Ireland originated in religious differences, or in what other causes ?—The recent disturbances in Ireland have not had anything to do with religion.

“ In what causes did they originate, in your opinion ?—The poverty of the people, which exposes them to the seduction of every felonious or turbulent leader ; the want of employment ; the absence and non-residence of landlords, who might superintend, control and advise ; the want of education, which leaves them in a semi-barbarous state, and incapable of judging for themselves. These are some of the various and combining causes which may be enumerated. The severe and unconscionable rents too often exacted from the peasantry, ought not to be forgotten. There was a system (now diminishing, thank God) of sub-infeudation, which prevailed through Ireland, and which, after a succession of sub-lettings, left scarcely anything to the miserable occupying peasant to subsist upon. Every man, in this gradation of evil and unfortunate system, must have a profit, save the occupier, who pays all, is exposed to the distress of all, and starves himself. To this system are owing much of the sufferings of the south of Ireland.

“ Have not persons of both persuasions been indifferently subjects of outrage and disturbance, from other causes than those of religion ?—Those outrages have been inflicted indifferently, and with perfect impartiality. It appeared to me that the disturbances did not point at or mix themselves with religion. They were excited by designing desperate fellows, who looked for insurrection and a scramble ; and it cannot be very difficult to recruit persons from such a peasantry, to fall in with such leaders. It was property and plunder they wanted ; religion was totally out of the case. I recollect perfectly a Catholic gentleman's habitation as violently assaulted, and himself as obnoxious an object of these insurgents, as any Protestant could be.”

“ Upon the subject of religion I should have added that in some parts of Ireland religion influences a good deal, and has

excited the sects to collision and conflicts, in the northern part of Ireland particularly; where there is a great preponderance of Roman Catholics, as in the south of Ireland, (in which province there is scarcely one in a hundred of the humbler classes who is a Protestant,) religion does not operate at all, or very little; it is where the religions are nearly balanced. Your lordships and the public have heard much of Orangemen and Ribbonmen; the gentlemen of the county and the judges on the northern circuits have taken great pains to put down, and I hope successfully, that sanguinary spirit.

"Are you not of opinion that where any grievance is supposed among the people to exist, the religious distinction unites much larger bodies of people than would otherwise be united without that?—I repeat, that religion seems to me to have had little or no effect in the south of Ireland in the late disturbances. No doubt, where religion mixes, it will exasperate and combine to a fatal extent."—H. L., 1825, pp. 532-3.

The following are other testimonies to the same effect:—

Rev. Mortimer O'Sullivan, clergyman of the Established Church, principally resident in the county of Tipperary.

"You have stated that, in the disturbances in the county of Tipperary, you thought the religious rancour began in the spring of 1821?—I believe what I said was, that that was the time when I first thought that I could perceive the spirit of religious rancour.

"What do you mean by religious rancour?—A hatred of Protestants, a dislike to Protestants as Protestants, mingling with the other feelings.

"Were there no instances of the hostility of the people creating those disturbances being directed against Catholics as well as Protestants?—Yes, numerous instances; I believe I stated, that I conceived the disturbances to have commenced in the struggles of poverty; of course it was a war against property principally, and the religious spirit was a thing that

mingled in it, but was not the mainspring."—H. C., 1825, p. 464.

Major Warburton :—

"With respect to the local objects you have spoken of, were not they indiscriminately levelled against property, whether in the hands of Catholics or Protestants?—Yes, they were, certainly.

"They were introduced from the county of Galway?—Yes, at the time I have stated.

"The greater proportion of the property in the county of Galway is in the hands of Roman Catholic gentlemen, is it not?—I should think it is, so far as I am informed; I know this, that there are a great number more Roman Catholics in Galway than in Clare, and that they possess more property.

"Did you not understand that the disturbances in Galway had been very much put down by the exertions of the Roman Catholic gentlemen, as much as of the Protestants?—I have understood so; I believe some of them took a very active part."—H. C., 1824, p. 136.

Major Willcocks :—

"From what you have seen in the disorders in the south of Ireland, should you say that those disorders have assumed in any degree a religious character?—I really cannot take upon me to say that they have. I will add, the great mass of the population of those parts that I am intimately acquainted with is Catholic; I cannot speak of Cork, I have had no residence in fact in Cork; but in Limerick and Tipperary the great mass of the lower population are all Catholics, and of course the outrages are committed by a greater proportion of that persuasion than of the others; but I never heard of any religious distinction at all among the peasantry, as a matter that came under my view."—H. L., 1824, p. 56.

Matthew Barrington, Esq. :—

"Did those disturbances, which took place in 1821, 1822, and 1823, appear to you to be at all connected with the ques-

tion of emancipation?—I think there was scarcely an outrage which could not be traced to a particular object: one was the attacking a proctor, another dispossessing of the land, attacking a former tenant, a party going at night to dispossess the tenant who had been put in, in order to have the possession restored to the former occupier. There is scarcely one which was not traceable to a particular object.

“ You could not trace any connexion between those outrages and the question of Catholic emancipation?—No, in no case.”—H. L. 1825, p. 304.

Robert Cassidy, Esq., resident in the Queen’s County :—

“ Do you conceive that the disturbances to which you have alluded have anything of a religious character mixed up with them?—Decidedly not.

“ When you say you consider there is nothing of a religious character mixed up with the present disturbances, do you mean to say that the Whitefeet are not associated together in hostility to Protestants?—I think not; nor have I ever been able to learn that the hostility of the Whitefeet was more directed against the Protestant than the Catholic.”—H. C. 1832. Nos. 5978. 5980.

The absence of any predominant religious motive in the Whiteboy combinations further appears from the fact, that Catholics, as well as Protestants, are the objects of attack, wherever they possess arms, but more especially when they transgress the rules with respect to land.

It seems natural, that where the tenant is poor, the payment of rent should be disagreeable to him, whatever may be the religion of the landlord or agent who receives it.

“ Do you find (Mr. Blackburne is asked) the resistance of the payment of rent for land, and the dispossession, apply equally in cases where he is a Protestant or a Roman Ca-

tholic, or is it confined to any description of landlord?—‘Not at all,’” is his answer.—H. C. 1824, p. 9.

Mr. Leslie Foster being asked—

“Whether the Protestant middlemen find greater difficulty in enforcing their claims for rent than the Catholics?” answers, “Certainly not; the consideration of religion does not enter at all, I think, into these relations.”—H. L. 1825, p. 58.

For the same reason that a payment, if oppressive, when made to one man, is also oppressive if made to another man, the rules made by the Whiteboys, to protect themselves against destitution, are equally enforced against Catholics and Protestants. However strong the religious interest may be on other occasions, the feeling of self-preservation is still stronger; and the Whiteboy who might insult a Protestant clergyman, or break the windows of a Protestant church, would murder a Catholic farmer for taking land over another man’s head, in the same way that Richelieu persecuted the Protestants at home in order to spread the true religion, but assisted them in Germany, in order to advance the more important territorial interests of his country.

The following testimonies show that the administrators of the Whiteboy code strike indiscriminately all transgressors of its rules, whatever may be their religious persuasion:—

Major Powell.

“Were the outrages which were committed equally levelled against Catholics and Protestants?—They were invariably directed against Catholics; I have never known an instance of a Protestant being affected in that county by the system. I beg to remark there are very few Protestants, except in the higher classes, in that district [County of Kilkenny].

"How were the persons affected?—Their houses were attacked."—H. L., 1824, p. 101.

Justin M'Carthy, Esq.

"Were the attacks made equally on the property of Catholics and Protestants?—In our country they were almost all made on the individual property occupied by Roman Catholics. In the part immediately adjoining me, the attacks were made principally upon the property held from a nobleman by a Roman Catholic lady.

"Were the attacks levelled against the Protestant clergy particularly?—In some instances they were, with respect to tithe, and with respect to individuals who had taken tithe. In many instances there was a general notice against the payment of any tithe.

"Was there any general notice against the payment of any rent?—Yes, there was."—H. L., 1824, p. 207.

Rev. Nicholas O'Connor.

"Has this [the serving of threatening notices] been done indiscriminately on Catholic farmers as well as on Protestants?—I believe, if there is any preference given, the Catholics get more notices; the Whitefeet are most liberal people, for they make no distinction between Catholic and Protestant."—H. C., 1832, No. 3195.

Mr. John Bray.

"Do the Whitefeet and Blackfeet, in those nocturnal visits, make any distinction between Protestants and Catholics?—They visit Protestant houses to take arms; but the Catholics have been more exposed to personal outrage.

"If a Catholic farmer breaks any of Captain Rock's laws, he is as likely to be visited as a Protestant?—I rather think more so."—H. C., 1832, Nos. 3501-2.

John Dillon, Esq.

"Have the Catholic farmers been attacked by the White-

feet?—Yes, indiscriminately; more Roman Catholics have suffered than Protestants.

“In proportion to the number, is that your opinion?—I cannot answer that, unless I can recollect their proportionate numbers; but there appears to me to be no distinction made between them.”—H. C., 1832, Nos. 2365-6.

Mr. John Cahill.

“Have you found these attacks have been made indiscriminately on the Catholics as well as the Protestants?—They have much the same, I think, in my neighbourhood.

“The Whitefeet do not appear, then, to have any predilection or hostility more to one religion than the other?—I should think not indeed; I found by experience, that, in fact, the Protestants were more spared than the Catholics; a good deal more.

“How do you account for that?—I cannot say; I found it so in my neighbourhood; I found that not one of them was abused; it was not the same with the Catholics; they were seriously abused.

“Do you, then, consider that this disturbance or insurrection had anything whatever of a religious character about it?—I do not consider that it had the slightest.”—H. C., 1832, Nos. 7441-4.

It might be conjectured, that the difference here stated arises from the feeling that there ought to be good brotherhood among Catholics, and therefore, if a Catholic transgresses, he ought to be more closely watched, and more severely punished: the more probable reason, however, is, that most of the small tenants who are concerned in dealings with land are Catholics, and therefore that they fall under the Whiteboy ban; in other words, that takers of land are threatened, not because they are Catholics, but Catholics are threatened because they are takers of land.

Major Warburton.

"Were the outrages that were committed equally levelled against Catholics and Protestants?—Equally, I think.

"Were they levelled chiefly against landlords, or against persons who came to occupy tenements from which the previous tenants had been expelled?—I think they were levelled against both; that they were levelled against the parties acting under the arrangement with the landlord, and against the landlord for making the arrangements, in many cases that occurred.

"Were many of the outrages directed against the clergy, or against the collectors of tithes?—Many of them against tithe proctors; there were not many of them against the clergy, I think."—H. L., 1824, p. 78.

Mr. Serjeant Lloyd.

"Were the outrages levelled equally against Catholics and Protestants?—I heard of no distinction; I think where a Catholic endeavoured to redress himself by those means, by distraining or ejecting a tenant, he was just as much the object of their anger.

"Where a Catholic tenant had taken a tenement from which another Catholic tenant had been ejected, was he equally the subject of attack?—I think he was."—H. L., 1824, p. 112.

Major Willcocks.

"Should not you think that, naturally, the Catholic proprietor would have an influence over his Catholic tenantry?—I think he would have an influence, if he chose to exercise it, to get them to do wrong; but I do not think he would have much influence over them, to get them to do right.

"Then you think that the Catholic laity are at this moment without that natural influence over the Catholic tenantry which in a sound state of society they would have?—I am of that opinion.

"And in order to maintain any influence over their tenantry, they are obliged to use the intervention of the priest?—I think that if they wanted to have an influence over them, the priest

would be the means; and I do not think that for some purposes even the influence of the priest would have any effect; but if they were organized for any purpose that met the wishes of the peasantry, I think they might have an influence themselves; but certainly they would have a much greater influence through the clergy; I have known many Catholic gentlemen endeavour to assist me in getting information, but I believe they were very little attended to, less probably than even I was myself, so that I never found much good result from the influence of the laity over the Catholic peasantry.

"Have you not found that the attacks of the insurgents have been equally directed against the respectable part of the Catholic gentry as against the Protestants?—Certainly."—*H. C.*, 1824, p. 117.

Daniel O'Connell, Esq.

"In the late disturbances in the counties of Cork and Limerick, and in parts of Tipperary, were not the attacks as generally directed against Roman Catholic gentlemen as against Protestants?—Certainly they were; and in many instances, the people that were murdered were Catholics; in most of the instances.

"Do you think that any more apprehension prevails in the minds of those Protestants than in the minds of the respectable part of the Catholics, as to any consequences that may arise from disturbances in the country?—Certainly not; the Catholics of property have been equally anxious to put down those disturbances, and, where I have known of it, to say the least, equally efficient."—*H. C.*, 1825, p. 128.

Colonel John S. Rochfort.

"Were there any distinctions made as to the religion of the farmers attacked?—No, I do not think there was.

"And the Catholics were attacked as well as the Protestants?—Yes.

"The greater part of the farmers are Catholics?—Yes, except the larger farmers.

"There was a person of the name of Dunn attacked?—Yes.

"What was the case there?—He was not at home; his wife was, and she was ordered to give a better treatment to the labourers; that meant, better diet and higher wages."—H. C. 1832, Nos. 1075—9.

Rev. James Delaney, speaking of the Whitefeet in the parish of Ballynakill, Queen's County.

"Did they make any distinction in the religion of the persons attacked?—No; in my parish the population is almost entirely Catholic.

"The farmers as well as the lower orders?—Yes, they attacked any man suspected of having arms: they visited them indiscriminately, whether Protestant or Catholic."—H. C., 1832, Nos. 4354, 5.

W. W. Despard, Esq.

"Do you believe there is a rage among the Whitefeet to murder Protestants?—I think there is a strong feeling against Protestants.

"Have the attacks of the Whitefeet been directed against the houses of the Protestants and Catholics?—There have been many houses attacked belonging to Catholics; there were several attacks for arms.

"The Protestants are much less numerous than the Catholics?—Yes, most certainly.

"Is the land principally occupied by Catholics or Protestants?—There are very large Protestant landowners, but the general population are Catholic.

"You say that the Catholic farmers have been robbed and ill treated equally with the Protestants?—Yes; and I know they are much frightened now; and I also know that they have submitted in every respect to the system of intimidation going on, and if they had not done so, our county would have been much more quiet than it is. I have a letter in my pocket written by a man, a very large landowner; he mentions the attacks in his neighbourhood, and upon himself, and he says,

‘ I have just ploughed up seven acres of good land, which I have given to the boys, (the Whitefeet,) and I am on the best terms with these new legislators.’

“ Then the attacks are made indiscriminately?—Yes.

“ Have the Catholic farmers universally submitted to the orders that they have received?—Yes, I think they all have; they have been very cowardly; I must say that class of society have submitted to them and given out their arms.

“ Have you any reason to believe there are Protestants in this conspiracy?—Certainly not.

“ Are you satisfied it is not general among all Roman Catholics?—It is general among the lower orders.

“ But not among the farmers?—No.”—H. C., 1832, Nos. 562—571.

Matthew Singleton, Esq.

“ In the county of Galway the majority of the attacks must have been made on Roman Catholics by the Terry Alts?—Yes, inasmuch as the majority of the people are Roman Catholics; with respect to any discrimination between persons attacked for land, there is none shown.

“ There is no difference of religion?—No.”—H. C., 1832, Nos. 4118, 19.

As the Catholics are the chief takers of small holdings, so the Protestants are the chief possessors of arms: for this latter reason their houses are often visited by the Whiteboys; whence it sometimes appears as if the proceeding had a religious complexion: whereas it is not the creed of the Protestants but their guns and pistols which are the real objects of attack. This is explained in the following evidence of Mr. H. Smyth, a resident magistrate of the Queen’s County.

“ Are you able to say whether or not, in the common opinion and feeling of the country, that the crimes to be tried at that special commission had any reference to religion or religious party feeling?—The fact is, that in my neighbourhood the Rockite outrages that had been committed had

almost all of them been necessarily committed upon Protestants, because they are the persons who have had arms, and have generally experienced on that and other accounts a good deal of persecution. I believe it was a desire to get arms, and not particularly on account of their religion, that they attacked them. If a Roman Catholic had arms, not being an adherent of Captain Rock, he would be very anxious to get those arms into his hands.

"Do you consider that the Protestants of the middle class, and the labourers, and the farmers, feel themselves particularly in a state of insecurity in consequence of that oath?—I do know that they do in consequence of that oath, but there has been a great panic among the Protestants on my estate; I believe I have been the means of preventing several of them emigrating to America; what the cause of that panic is I do not know, except that, being yeomen, and having arms, they have been in several instances attacked and stripped of their arms.

"Have they ever stated to you their own apprehensions?—They are eternally complaining of the insecurity of person and property, arising from Captain Rock; and I have no doubt there are many Catholics in the same plight."—H. C. 1832, Nos. 4562, 4566, 4567.

Mr. Barrington likewise mentions a case which occurred in the county of Limerick, of an attack on a party of police, for the sake of obtaining their arms; not of resisting the government.

"Do you recollect the case of Glanesheen, in the county of Limerick?—I do.

"Have the goodness to state the particulars of that.—It was an attack upon the police of Glanesheen, in the county of Limerick, by parties coming from the county of Cork; the object being to get the arms from the police, to attack the police and take their arms.

"Are there in the village of Glanesheen some Protestant settlers?—Yes, some Palatinates.

"Was the attack made on the Protestants or the police?—

They went into the houses to get fire to set fire to the barrack, but they did no injury to the people; they burned several of their houses; the object appeared to be to attack and get the arms of the police.

"There was, in point of fact, no injury done to the Palatine inhabitants of Glanesheen?—No, there was not that I recollect.

"There was an attack upon some of the Palatines in the neighbourhood of Adare, was there not?—Several of their houses had been attacked; I do not recollect any general attack; there is no village of them there, except the village of Adare. I do not recollect any attack upon them as a body, several of their houses have been attacked.

"In cases where their houses have been attacked, as far as your recollection goes, was it for the purpose of personal violence to them, or for the purpose of being possessed of their arms as yeomen?—Generally it was to get their arms; but there was an instance of a man of the name of Sparling who was murdered; he had gone from the neighbourhood of Adare to live on the Courtenay estate; he was murdered, I believe, for taking land on the Courtenay estate; he had taken a farm on the Courtenay estate, of which others had been dispossessed."—H. C., 1825, p. 576.

As the Whiteboy disturbances have the general character of a war of the poor against the rich, of tenants against landlords; and as in the chief part of Ireland the rich are Protestants and the poor are Catholics; it might be thought that Protestants would be almost exclusively the objects of attack. That this however is by no means the case has been just shown; the reason why it is not so will be explained when we come to the machinery by which the system is carried on, and to state the policy followed in selecting the parties against whom the intimidation is directed.

That the Whiteboy combinations spring from no

religious motive; that they are not animated by a zeal for the Catholic cause, or intended to bring about Catholic ascendancy; also appears from the manner in which the Roman Catholic clergymen have acted towards the Whiteboys, and the Whiteboys have acted towards the Roman Catholic clergymen. In all purely religious wars, we have seen the clergy either openly or secretly encouraging them, and lending their spiritual aid to the arms of the flesh. Such was the case in the crusades; in the war against the Albigenses; in the wars of the League; in the thirty years war; in the dragounades of Louis XIV. But in Ireland we find that the Catholic priests not only have shown no sympathy with the Whiteboy proceedings, but that they have in many cases taken an active part against them; and that several of them have been denounced and threatened by Whiteboys on this and other accounts.

It has been already shown in the account of the risings in the south, at the end of the last century, how the Whiteboys in many cases maltreated and threatened the Catholic clergymen, and to what an extent the latter discountenanced and opposed their proceedings*. The following testimonies show that there has not been a closer connexion between the insurgents and their clergy at subsequent periods.

Major Willcocks.

“Have you known any instances in the county of Limerick, in which any members of the Catholic priesthood have exposed themselves to considerable personal risk and danger in consequence of their exertions to maintain the public peace?—I think they did; there was one priest in particular that assisted me a good deal, and there was another that was very

* See above, p. 29—32.

much disposed to assist, but from ill health for many months before I left that neighbourhood, he was confined, and could not exert himself, though I thought he was extremely well inclined.

"Have you reason to believe that any of those priests were threatened by the disturbers of the public peace with personal hostility, in consequence of their exertions to maintain the tranquillity of the country?—No. I know one priest that was threatened, and he applied to me for protection, but he was a priest that disappointed or deceived me; he promised to do something which was not done, and this came to the knowledge of some of his flock, and, I believe, he was threatened for that, for attempting to interfere; and he applied to me for protection afterwards.

"In what species of habitations do Catholic priests generally live? are they thatched or slated?—Generally thatched; snug little cabins most of them, some not very good.

Do not you imagine that the inhabitants of thatched cabins are very much more at the mercy of the population, than others who live in houses of a different description?—Most certainly."—H. C. 1824, p. 111, 112.

James Lawler, Esq., resident Magistrate of the county of Kerry.

"Do you think the influence of the priests upon the lower classes is greater or less than it was twenty years ago?—I think the influence of the priests is much the same; I think their influence is great, though there are great efforts made to shake it.

"In what way?—By those villains that go about particularly; you would have had all the peasantry in Munster up, but for the priests, in the winters of 1821-22.

"Who do you mean by those villains?—Those Whiteboys, and those secret agents, for they are in every direction; they set them to do wrong, and not to mind their priests.

* * * * *

"Have the priests, generally speaking, exerted themselves

actively to keep the people from those combinations?—Unquestionably one of their greatest pains and difficulties arises from the counteracting influence of those instigators of the people.

“Can you inform the Committee whether those instigators, and those people who join them, continue to contribute to the priests in the same way as the quiet and well-disposed, or not?—In the parish in which I live, the priest could get little or nothing from them; upon one occasion a whole parish was brought together, twelve months before the general rising; they assembled at the old church; they put up a proclamation refusing to pay the priests any but certain fees, or to pay tithes.”—H. C., 1824, p. 448.

Right Honourable Dennis Browne, M. P.

“Do you know of any priests, by preachments or otherwise, exhorting the people to insurrection or tumult, or disloyalty?—I never did; and I know, on the contrary, that at all other times, I mean the former disturbances, and Whiteboys and Threshers, &c., I know that they did most seriously oppose them.”—H. L., 1825, p. 371.

Rev. Mortimer O’Sullivan.

“What have you observed to be the conduct of the Roman Catholic priests in the late disturbances?—The impression upon my mind was, that at first the Roman Catholic priests had no desire whatever that there should be a disturbance; I think they would have been perfectly satisfied with procuring their income in a quiet way; but they found, that if they took a decided part against the people, they might be sufferers themselves in consequence. I have reason to know, that on various occasions they spoke in very warm terms of the grievances and the distresses that the poor people were forced to bear; and the people felt from this as if their cause was indirectly sanctioned by the clergy. At that time the disturbances in the south of Ireland were perhaps altogether the struggles of poverty; but it is likely that the Roman Catholic priests, by taking that part in countenancing them, not by direct ap-

proval of the disturbances, but by magnifying the hardships of the people, rendered it easier for the religious spirit, which afterwards become so strong, to blend itself with the mass of popular disorder."—H. L., 1825, p. 572.

Robert De la Cour, Esq.

"Have you known any instances in which the Roman Catholic clergy have exerted themselves for the purpose of inducing the surrender of arms?—I have heard that the individual now mentioned [Dr. O'Brien, parish priest of Done-raile] was particularly active for that purpose; I have also heard of several exerting themselves, by exhortations in their chapels, to induce those who had possession of arms to bring them in.

"So long as the maintenance of the Roman Catholic clergy is cast exclusively upon the population of the country at large, are not those exertions of the Roman Catholic clergy attended with considerable risk to themselves, in a pecuniary point of view?—I should think so, because they are dependent upon voluntary contributions from their flocks; and the more of hostile feeling they excite, by an interference in any way, the less generous I should suppose those contributions must be.

"Have you heard of any instances in which those exertions have been made by the Roman Catholic clergy at any risk or inconvenience to themselves?—I have heard of many; I cannot say that I am myself personally acquainted with any, but I have heard of several. Perhaps it is a fair opportunity for me to state to the Committee, that in the parish in which I live we have been most materially indebted to the exertions of the Roman Catholic clergymen; the Roman Catholic rector of the parish of Mallow, the Rev. Thomas Barry, who is, I think, one of the most respectable and valuable men I know, has rendered very essential service to that district by his exertions and his communications.

"Are you aware that in some instances the illegal combinations which have taken place amongst the Irish peasantry have had, as one of their objects, a refusal to pay dues to the

Roman Catholic priests?—I have; I have no doubt of the fact.”—H. C., 1825, p. 567.

W. W. Despard, Esq.

“Have not the Catholic clergy taken a part to encourage those associations of farmers to prevent crime?—The Catholic clergy in the county latterly are doing everything in their power to put a stop to those outrages; and from what I hear, some of the Whitefeet have given themselves up to their clergy, but they have not given up their arms.

“Was there ever a distinct demand made upon them for their arms?—Yes; by the priests and the bishops.

“Was there any refusal?—I do not know; it was not complied with; two or three stands of arms have been given up.

“Do you think they are beginning to sit loose upon the authority of their priests?—The Whitefeet pay little respect to their clergymen.

“That there is a growing disinclination to obey their priests?—Yes.”—H. C., 1832, Nos. 575—9.

John Dillon, Esq.

“Are there oaths taken by the Whitefeet and Blackfeet?—I have heard that the Blackfeet solemnly avow in the presence of God, and the Whitefeet swear.

“Are you aware of the oath in which they declare they will not obey their priests?—I believe, as far as I am capable of judging, it is not part of their oath.

“Is it not thought to be so in Queen’s County?—I never heard it.

“Are they notorious for their deference to the wishes of their clergy?—Their clergy have not been able to restrain them.

“You would think them not obedient to their clergy?—Not politically.”—Ib. Nos. 2481—5.

Mr. John Edge.

“Do you believe that the Catholic clergy have sufficient influence to stop the disturbances without the assistance of the

civil power?—I believe not; the Catholic clergymen in my parish told me that they have lost their influence over that part of the people, and that it is all through these disturbances.”—H. C., 1832, No. 2920.

Rev. Nicholas O'Connor.

“ You have stated that the oath of the Whitefeet bound them to each other, and you mentioned certain objects, such as their being deprived of their lands?—I did not say that they were sworn to those objects of the association.

“ Are the Committee to understand that they are bound by an oath?—Yes; the Whitefeet are, but the Blackfeet are not.

“ Are you aware there was any provision in that oath by which they were to direct their hostility against all Protestants?—I am sure it could not be; for their hostility was directed more against the Catholics.

“ Was it on some occasions directed against the Catholic clergy themselves?—Yes; I know a priest who received notice from them; also in the diocese of Ossory the Catholic clergy were frequently noticed not to be speaking hard of the Whitefeet, and they also complained of me.

“ Was this latterly, or in the commencement of it?—I spoke at first of the year 1822; it has latterly increased.

“ The question refers to the Whitefeet; was it latterly, or in the commencement of the operation of the Whitefeet, that they have shown an hostility to the Catholic clergy?—As they progress in evil their habits are more hardened; latterly it has considerably increased.

“ Do you know the period that notice was served upon the Catholic clergyman you spoke of?—In the course of the present year.

“ At what time?—During the last winter.

“ What was the object of the notice?—It was the same as the rest, not to treat them so harshly; and I believe a stone was thrown at the same clergyman.”—H. C., 1832, Nos. 3241—9.

Rev. John Keily.

"Do you think it possible, that many disturbances could take place, or that combinations amongst the inhabitants of a parish could take place, without such combinations being known to the Catholic priest?—I certainly think that they could; and I have exerted myself to know from the Catholic priests, what combinations were within their parishes, and I conscientiously believe I got from them whatever information they had upon the subject, and they regretted the existence of disturbances very much.

"Do you find that the Catholic priests with whom you communicated were not aware of the existence of illegal combinations in their parishes?—I am aware that the Catholic priests knew that combinations existed to a great degree, but that they were not acquainted with the nature and details of these; and that it was the object of the combination to keep them from the view of the Catholic priests; there is a distinction always to be made between what a Catholic priest can communicate and what is incommunicable."—H. C., 1825, p. 402*.

It may be remarked, that the dependence of the Irish priest on the alms of the poorest of his flock, naturally indisposes him to take any part which may offend their feelings, however objectionable those feelings may be: and hence the interference of the Catholic clergymen against the Whiteboys may be considered as a far stronger proof of their entire disconnexion with the cause, than if their incomes were derived from endowment. That the loss or diminution of the priests' dues is not even now an impossible case is clear from the disturbances already adverted to, in which the Whiteboys in Munster, and the Threshers in Connaught and Ulster,

* To these testimonies may be added Dr. Doyle's strong denunciation of the Whitefeet, in his admonition to his clergy, which will be mentioned presently.

systematically interfered to regulate this as other payments *; and these instances afford a good proof of the flexibility of the system—of its power of being applied to any purpose at the will of the movers.

“Have not you found (Dr. Murray, the Catholic Archbishop of Dublin, is asked), or have you not collected from your observation, that the insurrections in different parts of the south and west of Ireland have been directed as much against the payment of dues to the Roman Catholic clergy, as against the payment of tithe to the Protestant?—They have often been so directed against the dues paid to the Catholic clergy (he answers), as well as against the tithes paid to the Protestant clergy.”—H. C. 1825, p. 237.

The following remarkable instance of resistance to the priests' dues by Whiteboys is mentioned by Major Willcocks, who also gives an account of *carding*, a species of torture now abandoned.

“The bulk of the income of the Catholic priest is derived from dues of different kinds paid by their own flocks?—A good deal of it; and that was principally at one time the cause of the disturbance in Westmeath; the flock objected to the dues; they made a scale of fees, and any man that was found to disobey that table of fees, was put in personal torture, by what is called ‘carding,’ the most extreme torture I ever saw in Ireland.

“What do you mean by carding?—I have seen some of them, and I have seen the effect upon unfortunate individuals; it was really shocking to witness it; it was a board, probably not so long as this sheet of paper, with spikes something similar to sixpenny nails through it; to this board there was a handle put: the unfortunate victim would be placed upon the ground or upon a table, upon his face, by some of those ruffians, who would scratch him down the back; and if it was a case in which severe torture was to be inflicted, they would

* Above, pp. 28, 40.

cut him across; I have seen it almost in what I would call cut like diamonds; the severest torture I ever saw.

"Have you ever known that inflicted upon women and children?—Never.

"That was inflicted upon those who complied with the demands of the Catholic clergy?—Those that broke their rules and regulations in that way, or in taking land, or in paying tithes.

"Was this schedule, to which you have adverted, peculiar to the county of Westmeath?—I never saw it any other county.

"Was the carding peculiar to Westmeath?—I think it was in Meath, and I think it was inflicted at Garristown.

"Have those dues been abandoned by the priests since?—The priests for some time did not, but they were compelled to comply; they were threatened themselves with destruction if they did not; and the people there did not hesitate to come up to tell me that it was a gross imposition; but they never avowed that they were the perpetrators of outrage, but that they felt the severities of the dues that were demanded by the priests."—H. C., 1824, p. 118.

An instance of a connexion between a Roman Catholic clergyman and the Whiteboy combination appeared during the proceedings of the Maryborough special commission; and even this bears rather the appearance of a vaunt made for the purpose of intimidation, than of a real guilty participation: if the individual in question had been in fact an accomplice with criminals, he probably would not have been quite so ready to avow it.

Myles O'Reilly, Esq.

"Have any circumstances come to your knowledge which have induced you to think that the Roman Catholic clergy, in their zeal against tithes, have been induced or led into the holding of any intercourse with this pre-existing faction of Whitefeet?—I am very unwilling to suppose it possible that

any individual of the Roman Catholic clergy could have been in any degree connected or in correspondence, however remotely, with the faction of Whitefeet. Collectively, I am very certain they have been and are very much opposed to the Whitefeet or Blackfeet system. The question put to me, however, I am compelled to conclude, has reference to some remarkable circumstances disclosed in my presence, on a trial that took place at the late commission, and which (as the whole of those proceedings are before the public in print in a collected form) it would be affectation to deny that they were certainly calculated to throw more than a suspicion upon at least one individual of that body, as connected with or exercising a direct influence over the Whitefeet, as such. The question manifestly relates to the disclosures that took place on the trial of a man of the name of James Dowling, when it appeared that the witness for the crown, Miss Magee, who had gone to mass, as she swore, in consequence of having been pelted with stones when going to church, being very much pressed on cross-examination, declared that, in consequence of a recommendation from the priest of the parish adjoining Carlow, in which her family and herself had previously resided (on their removal into a very disturbed part of the county, under circumstances highly dangerous to them, and where they were subsequently attacked), she waited upon the parish priest of that district, and had had communications with him, in which he had said, 'that he would make a pitchfork mind the house; that he did not like any one in the house but herself; that he expected he would make a Christian of her, and bid her often go see him, and that she need not be afraid of the Whitefeet; that he had them at his command, and that they would not meddle with her; that Luther and Calvin beat them out when their religion was established, and that he intended to get his rights again.'"—H. C. 1832, No. 7125*.

* Maryborough Special Commission, p. 177; and see the remarks of the Chief Justice on the witness Ellen Magee, p. 197; compare p. 271. The Attorney-General states, that "in his view it is not possible to say that she has deposed to a single fact warranting any criminal imputation against Mr. Kelly (the priest in question)," p. 288.

It will be observed that Mr. O'Reilly, in giving the above faithful account of what passed with regard to this particular transaction, expresses his opinion that the Catholic clergy in general were quite free from any such participation.

It is however to be observed, that although Whiteboyism has not a religious character, yet the persons concerned in it, being the labourers and cottier farmers of the south and west, are exclusively Catholics: there are, in fact, none, or scarcely any Protestants in the class for whose protection this system has been organized. The following testimonies all relate to the recent disturbances in the Queen's County, but they probably apply, with equal or even greater force, to the more purely Catholic parts of Munster and Connaught.

Colonel Rochfort.

"It is not founded upon religious distinction?—No; but religion is the bond of union; I do not think they would trust a Protestant.

"Then this association is confined to the Roman Catholic religion?—Yes; but they prey upon Roman Catholics who do not join them.

"Have any Protestants been committed under charges of this kind?—No.

"The great majority of the lower classes are Catholics?—Yes.

"And the association is confined to the lower classes?—Entirely, as far as I know; but there must be some higher powers that move them, or they could not carry it on as they do."—H. C., 1832, Nos. 1082—6.

Henry Smyth, Esq.

"Are you aware of the fact, that the body of the Whitefeet bound together by this illegal oath are exclusively Roman

Catholics?—I am not aware of it, but I believe it to be so ; I am not aware of the Protestants being implicated.

“ The emigration from among the Protestants in Queen’s County has been extensive in proportion to their numbers?—I do not know that ; but I think, unless something more is done for the security of the country, that many more of the respectable people will emigrate.”—H. C., 1832, Nos. 4568-9.

Rev. J. Delaney.

“ Are you aware of any but Roman Catholics being members of that body?—No.

“ Are there any Protestants of so low a class in society, or so poor as those who generally compose the Whitefeet?—I cannot speak of the county generally, of my own knowledge ; I speak of the district in which I reside, and I say that in that district there are not Protestants to be found in so very poor and low and destitute a condition as the class of persons who generally compose those illegal associations.”—H. C., 1832, Nos. 4451-2.

Robt. Cassidy, Esq.

“ Are you aware that the Whitefeet association is exclusively Roman Catholic?—I am not aware that it is exclusively Roman Catholic ; but I am bound in fairness to say, that I have never heard of a Protestant being what is called a sworn brother, but I have heard of Protestants being applied to to join them.”—H. C., 1832, No. 5984.

There appear to have been a few instances of Protestants being implicated in Whiteboy proceedings ; in one case, of which the details are given, it will be observed, that the party was in a higher class of life, and that he employed the persons who committed the outrage.

James Robinson Price, Esq., speaking of Ossory, in the Queen’s County :—

“ Mara was a surveyor, employed by me to survey burnt

ground. The year before, a man of the name of Wall, a Protestant and an under-tenant, burnt a considerable quantity of ground upon the Ladies Fitzpatrick's estate; he took the land under the court, on the death of Mr. White. I surveyed the land, and summoned him before the magistrates, who fined him. The next year, notwithstanding, he persevered in burning double the quantity, and he gave it to be understood to the people, or to the Whitefeet thereabouts, that if they kept off the fine and prevented the surveyor from effecting a survey, that they should have the quarter ground at 6*l.* an acre, or otherwise they should pay 10*l.*; in consequence a detachment of Whitefeet, who lived ten miles off, were summoned, and this Wall supplied them with money; on their way they attacked the surveyor's house, and fired into it; the surveyor's son fired on them, and wounded a man in the arm, of the name of Robinson; the country people turned out next morning, and, assisted by the police, they pursued Robinson by the tracks of his blood, and they took him in a corn field concealed. Robinson turned approver, and prosecuted three men to conviction, who have been since transported. . . . The most important part of that transaction was Wall sending for them, and Wall being cognizant of their proceedings. Wall was tried and acquitted; the Rev. Mr. Caulfield, a Protestant clergyman, came to give him a character, considering him a religious man; but when he heard the evidence he went away, without being produced on the table. Mr. Baron Smith, in discharging him, said, 'that he was morally guilty of the blood of those men.' Sentence of death was passed upon them, but with an intimation to the magistrates of the county, that if the county was tranquillized in the meantime they would be recommended for transportation; and the magistrates assembled in August, and recommended the sentence to be commuted, in consequence of the improved state of the county. . . . Wall was tried in conjunction with three others; he was not convicted, but the judge said he was morally guilty of the lives of the other three: he was indicted, not for a conspiracy, but for the attack on the house, and it was not proved by Robinson the

informer that he was at the attack; but it was proved he sent for the men, and met them at his own house, and offered them a 30s. note, which was refused.

“ Who was that proved by ?—Robinson the informer, who went to attack the house; Robinson was taken up by the country people, by a lad of the name of Kikfoyle; and he has since been put into the police, because he could not live in the country.”

Mr. Price further adds,—

“ I know other instances where the Whitefeet have been sent for by one Protestant to intimidate another Protestant; that is the reason that I say those Whitefeet are made use of by designing men, who may not be bound by their oath, but who, by the agency of a servant-boy or understrapper in their employment, make use of them to carry their purposes into effect.

“ Do you think that a man who so makes use of an existing evil, identifies himself with it?—Yes, I think so; I think he is worse; ‘ the receiver is worse than the thief.’

“ Will you be so good as to name any other Protestant that has been convicted or accused of participation in these offences?—I have no knowledge of any other convicted or accused. I know an instance where a Protestant tenant ploughed up a considerable number of acres of pasture land; the landlord remonstrated with the tenant for it, and cautioned him not to burn it; and notwithstanding that caution, I heard and believe that a considerable number of Whitefeet came there in the open day and cocked the peating, or prepared it for burning, and it was supposed those people would not come there without the tacit consent of the tenant; that was the inference drawn from it. I am sure I am far from wishing to make an impression that any considerable number of Protestants are connected with it, but I am asked as to the fact, and I am bound to state it.”—H. C., 1832, Nos. 6680-4, 6989-92, 7008.

Mr. Myles O'Reilly having confirmed Mr. Price's

statement with respect to Wall's having employed Whiteboys to commit an outrage for him, proceeds to say,—

“ I have never heard of any other Protestant being engaged in similar proceedings, directly or indirectly ; and I am quite certain that if it be not absolutely a solitary case, it is as nearly so as possible : I never heard of any other case, nor ever heard, nor do believe, that Protestants were members of that faction ; on the contrary, they have been, in the Queen's County, the special, though not by any means exclusive, objects of persecution and intimidation by the Whitefeet and Blackfeet, and are compelled thereby to transport themselves into foreign countries in vast numbers ; an emigration which it appears very lamentable, on many considerations, to witness.” —H. C., 1832, No. 7126*.

Many Protestants seem, however, to have been engaged in the Whiteboy disturbances of 1786.

“ Were they not Protestants (says Mr. O'Leary, in his answer to Bishop Woodward), who proposed the oaths to the congregation at Clonakilty ? Were they not Protestants who overran the parishes of Affydown, Skibbereen, &c. ? Were they not Protestants who headed a party of four hundred Whiteboys near Butterant ? The most respectable criminals—if a criminal can be respectable—who were arraigned before the judges on the Munster circuit, were Protestants. If from the county of Cork his lordship had taken an excursion to the county of Kerry, he would find the truth of an assertion made by a gentleman who is both a clergyman and a magistrate, and who bears the happy character of uniting in his person the

* Whenever Whiteboyism has prevailed in parts of the country where Protestants are more numerous, some of them seem to have been engaged in it. Mr. Sergeant Moore states, of the disturbances of the Thrashers in the county of Longford in 1806, that “ they were not confined to any particular persuasion of people.” (Above, p. 42). A Protestant Thrasher is incidentally mentioned in the county of Leitrim. *Trials of the Thrashers*, p. 259.

liberality of the gentleman, the charity of the clergyman, and the justice and uprightness of the magistrate. Many Protestants, though, I thank my God, mostly of the lower order (says that gentleman), were engaged in tendering oaths, in procession by day and in outrages by night, as any other description of men whatsoever. Nay, some of them were captains of these lawless corps, and have been obliged to fly from the prosecution that awaited them*."

But although Whiteboyism springs from motives altogether foreign to religion; although it would unquestionably continue to exist unchanged in its main features, if all the Irish Catholics were converted to Protestantism, or if all the Irish Protestants were converted to Catholicism, or if both were converted to the Greek church; yet the connexion of religion with the political state of the people—the fact that the rich and governing and rent-receiving class is almost exclusively Protestant, and the poor and subject and rent-paying class is almost exclusively Catholic, naturally gives a religious tinge to the disturbances in question. Mr. Sergeant Lloyd, being asked in reference to disturbances in the county of Cork, whether "any part of the disposition to outrage arose from religious opinions," answers,—

"It occurs to me, that when a disturbance takes place, always those religious jealousies are called in aid, and aggravate it, and make it of longer continuance, and perhaps of a worse description."—H. L., 1824, p. 112.

Mr. Newenham also gives evidence to the same effect.

"I consider that most of the disturbances in Ireland, though they may not in the commencement be influenced by a

* O'Leary's Defence, p. 40.

difference of religious feeling, have always come to that; because it is one of the strongest handles the ill-disposed can make use of to turn to their own purposes.

“Do you allude to an habitual discontent prevailing among the people on religious matters?—I consider that whenever there is disturbance in the country, the discontent is more or less tinged with religious feelings.”—H. C., 1824, p. 300.

Where such strong grounds of hostility exist, religious differences doubtless embitter the spirit of opposition; yet any person who will fairly review the evidence on this subject, however prepared to meet with traces of the mischief produced by the sectarian animosities of Ireland, will be surprised to find how little the Whiteboy disturbances have either begun or ended in religious hatred.

It is moreover to be observed that an obscurity has been thrown over the genuine objects of the Whiteboy combination by its confusion with *Ribbonism*; a confusion which exists not only in language, but in reality, as the one system appears in some instances to pass insensibly into the other, or rather the one is connected with the other. Now Ribbonism (strictly so called), which has prevailed chiefly in the north of Ireland, is a Catholic association, continued from the Defenders of the last century, and has been formed in hostility to the Orange association, consisting exclusively of Protestants*. The leading features of the Ribbon system, as well as its origin, are well exhibited in the following statement of Mr. O'Connell:—

“Do you know at what time the Ribbon association began in the north of Ireland?—No, I cannot say when it began. My own opinion is, that it is a continuation of the Defender

* See Wyse's *Hist. Sketch of the Catholic Association*, vol. i., p. 409, 10, and above, p. 37.

system, which immediately ensued on the original formation of the Orange association in the north, and was connecting itself with the French Revolution, looking at a complete revolution in Ireland, and a separation from England. The Defender association was at first confined to the lower classes, but had the bad feature of being almost exclusively Catholic, as the Ribbon system is exclusively Catholic. Before the Defender system was put down, the Presbyterians joined a good deal among the Defenders, and thus combined, they mixed with the United Irishmen, when the events of the rebellion put down the Defenderism. Since that period, in proportion as the Orange irritation increased in the north of Ireland, has that of Ribbonism increased.

“Do not you think the extension of the Ribbon system, within the last few years, has considerably tended to spread Orangeism?—Unquestionably, they act on each other; the existence of Ribbonism makes it necessary for one perhaps to become an Orangeman, and the existence of Orangeism has certainly created many Ribbonmen.

“Does not it appear that the outrages that have taken place in the north of Ireland have generally taken place in consequence of conflicts between the Ribbonmen and Orangemen?—No; a great many of them, in my opinion, and I have looked at them pretty closely, have originated with the mere insolence of triumph of the Orangemen, speaking of the lower classes of them. In their lodges they work themselves up into a great hatred of popery; they go out; they are armed with muskets and ball cartridges; and at the slightest sign of disrespect to them, they fire at the peasants.

“Do you mean to say that they go out with arms to fairs, for instance, where men of both political feelings assemble; that one party goes armed and the other is unarmed?—I have not the least doubt that if that, were the subject of inquiry, it could be established, that the Orangemen go to fairs unarmed; certainly the Catholics, many of whom are Ribbonmen, go equally unarmed, but the Orangemen, in general, leave their arms in a dépôt, about a mile or half-a-mile from the fair. In

the evening particularly, a riot is easily excited, and the Ribbonmen are equally willing to commence it with the Orangemen; then the practice has been for the Orangemen to retreat upon their arms, and take their arms and shoot away, and many lives have been lost."—H. C., 1825, p. 71.

Mr. O'Connell further adds,—

"The Catholics in the north are, I believe, more organized into Ribbonmen, and the Ribbonmen do not, if I may so say, choose to fritter away their strength in those driftless acts of outrage which the peasantry in the south do. With respect to the stability of the country, if a foreign enemy were to invade it, the north is in greater danger from its Catholic population than the south; they are better organized. We have a great deal more trouble to check Ribbonism than to check Whiteboyism in the south. By we, I mean the Catholic Association, and those who have taken an active part in Catholic politics."—H. C., 1825, p. 71.

Ribbonism has doubtless much more the character of an armed and well-organized association, with religious and political objects, than the local and irregular combinations of the south and west. The Whiteboys act rather from an obscure instinct of self-defence, which prompts them to those scattered and single, but constantly recurring acts of outrage which Mr. O'Connell calls "driftless," and which are deserving of this appellation, if it is assumed that general hostility to the government is necessarily the object of all disturbers of the public peace, but which nevertheless have a very decided and well-defined object, and if that object is rightly understood, are perfectly calculated (as we shall see hereafter) to secure it.

In a more vague sense, however, Ribbonism is sometimes used to comprehend, not only the religious and political party opposed to the Orange lodges, but also

the Whiteboy associations against rent and tithes; and in this sense it is used by Mr. Blackburne, with reference to the counties of Limerick and Clare*.

“Do not you believe that the Ribbon system is intimately connected with the whole of the insurgent system?—As far as I am able to know what the Ribbon system is, I believe it is.

“To what extent do you know what the Ribbon system is?—Its existence is manifested by its acts, by the oaths of secrecy, and by the use of pass words and signs; but what the precise object of it is I cannot tell, but I believe it differs in different places; it accommodates itself to what is considered the local grievance of the county; it is, I believe, generally directed against rent and tithes.

“Are the parties of any particular persuasion?—I believe they are universally Roman Catholics.

“Must a man be a Roman Catholic to be a Ribbonman?—I believe he must.

“Do you understand that any societies, under the name of Ribbon societies, exist in that part of Ireland?—I consider the whole confederacy a Ribbon society.

“Are there any societies, called Ribbon societies, in that county?—I cannot say that there has been evidence of any particular association in any particular part, that has gone by that name; but my opinion is, that the whole system is one of Ribbonism, or most intimately connected with it.

“Is not the familiar name by which they are known in the county of Clare, Ribbonmen?—Always.

“Do not you believe that the Ribbonmen prevail in various parts of the country where there have been no disturbances?—I believe they have.

“And do not you believe, that in some cases those persons are rather disappointed at the present disturbances, as interfering with their plans; that they have future plans?—I should think that those that speculate upon remote events, are disappointed at these occasional irruptions in different parts; they

* See also above p. 74.

feel, that as they one by one present themselves to the power of the law, the whole system is materially weakened."—H. C., 1824, p. 31.

Major Warburton, however, who, from his position, had a more precise knowledge of the distinctive names assumed by different disturbers of the peace in the west of Ireland, and the minute shades of difference between them, draws a line between the Ribbonmen and the Whiteboys.

"Do you consider that the two systems, the Ribbon system and the system of insurrection against property, were distinct systems from each other?—I think there were a great number of Captain Rocks that were not Ribbonmen at all.

"The insurgents in Galway, as well as Clare, were called Ribbonmen, were they not?—No, I do not think they were.

"Do not you recollect that, in the year 1820, the persons who made the irruption from Galway, went by the common name of Ribbonmen?—Yes; at the time alluded to, they were called Ribbonmen certainly; but when I say that, I do not think they were the Ribbonmen I have been alluding to, I did not know at the time that they were under the same obligation.

"Do you not consider them as distinct systems; the system against property, and the Ribbon system?—I believe I have already said that I thought the Ribbon system was more of a political system than the other.

"Do you consider them as distinct systems?—In so far as that, I think they are; but I think there are a great many Captain Rocks not engaged in the Ribbon system; I think that there are many local outrages that were not connected with the Ribbon system.

"Is the connexion where it takes place an accidental one, or are they one and the same system?—I will mention a circumstance that probably will give a better view of it than I could in explaining: I happen to know one instance of a person who had been ejected from a farm, he was considerably enraged at being so, and that man went to a distance of, I

think, twenty or thirty miles to be sworn, and to get the oath and the password, in order to come back and make a party in his own neighbourhood, to avenge the injury that he felt.

"To be sworn as a Ribbonman?—Yes.

"Do you think that the local system arose out of the Ribbon system?—I knew of the local system of my own knowledge, previous to my knowledge of any Ribbon system existing.

"What is the opinion you have formed from your knowledge upon the subject?—I do not know how to draw the distinction.

"Has the one grown out of the other, or are they distinct in their origin?—I think they are distinct in their origin.

"Do not you think they are distinct in their object; the one political, for the subversion of government and the Protestant religion, and the other for the subversion of property?—Yes.

"Then do not you think the introduction of the oath, from the county of Clare, arises from a wish to engraft the one on the other?—Generally speaking, wherever I have found any local system of outrage take place to any extent, it always receives the tinge of a political purpose; they introduced something of that, but I do not think they did to the same extent in Clare.

"Do not you think that wherever any system (whatever its origin) is spread amongst the peasantry and the population of the country, they being almost all Roman Catholics, it must receive a religious tinge?—I think it must.

"Do they not in many instances combine the two systems?—In many.

"Have you not heard that the persons engaged in the Ribbon system have in some instances rather wished to keep back the local system, as interfering with their general plans of insurrection?—I have heard that it was agitated at some of their meetings, that the local disturbances had gone on too fast, and that it was imprudent their having done so, and embarrassed them*."—II. C., 1824, p. 137.

* As an additional proof (if any were needed) of the fundamental difference between Ribbonism and Whiteboyism, it may be mentioned that Ribbonism has continued to exist in opposition to Orangism among the Irish settled in Glasgow and in Liverpool; whereas Whiteboy crimes are

"Do you consider the Ribbonmen and Captain Rock's men as the same body, or do they differ?—I think there are a great number of Captain Rock's men who are not Ribbonmen; but generally, when any local circumstances occur, they form a local association for some purpose; if that continues at all, they are incorporated with the Ribbon system, by those who have an interest to increase their numbers. I know an instance of one man, who, having been ejected from his farm, went about twenty miles to get the form of an oath, to form a party to avenge himself.

"You think, from being Captain Rock's men, they afterwards became Ribbonmen?—I do, in many cases."—H. L., 1824, p. 92.

The connexion between Ribbonism and Whiteboyism (wherever any subsists) arises in one of the two following ways: either agents are sent from the Ribbon societies to the counties where the Whiteboy combinations exist, in order to raise and extend their objects; or the secret oaths taken by the Ribbonmen are used by the persons who swear in the Whiteboys. An instance of this first kind of connexion (which appears to be of very rare occurrence) is mentioned by Major Warburton; it relates to a person sent from Dublin, who came in a gig from Limerick to the barony of Bunratty, county of Clare, and was therefore of a class higher than those engaged in the Whiteboy unions.

"The manner (he says) in which I obtained this information is rather curious; one of my men, an intelligent person, had been at an out-station, at a place called Six-mile-bridge, in

as utterly unknown among the Irish in Scotland and in England as they are among the Scotch and English themselves. See Report on the State of the Irish Poor in Great Britain, App., p. 105 and 121, for the statements of Bishop Scott and Mr. Whitty on this subject. A Ribbon society among the Irish of Hyde and Stayley Bridge is mentioned by the Rev. Mr. Fisher, *ib.* p. 83.

the county of Clare, and had formed an acquaintance with a farmer's son there, who was rather of a better order; I believe his father paid 150*l.* or 200*l.* a year rent; and this man came into Ennis, where one of my police that I have already mentioned was then stationed; the policeman was on duty that night, and in consequence of this man being able to render a very material service to the young man, he said, 'You have been very kind to me; I think I am in possession of something that might be useful to you.' I was not at home at the time, but the policeman encouraged him to go on, and he told him that he had been very lately concerned in a conspiracy that appeared to him to have a desperate object in view, and that he thought he would be able to be of use to him; the man immediately communicated to me upon the subject, and I saw the person afterwards; when he told him the matter had been made known to me; he then told me candidly, he had been in Limerick, and had met a person from Dublin who had sworn him in, and that he had in consequence himself sworn in several in the county of Clare; and, after some further communications, I got from him the system of organization, and the oath printed, which had been brought from Dublin, and confided to him to make use of in his district; and from that person I received very considerable information as to their proceedings from time to time; he was very imprudent in his mode of life, he occasionally drank, and he made use of some expressions at one time that raised a suspicion of his having given some information, and about twelve months ago he was followed out one night by three or four individuals who assassinated him.

"Did he explain what that desperate object was, in which he was to serve his friend?—He explained that their intention was to overturn the government, and to destroy all the Protestants; and that, in the course of doing so, he would interpose as far as he could for him.

"Was he a Protestant?—No, he was not.

"Was the person whom he promised to protect a Protestant?—Yes, he was."—H. C., 1824, p. 135-6.

That the rural population of Munster and Connaught are constantly in a state in which they are liable to be practised upon by such agents, is doubtless true: but that scarcely any influence of this kind is *in fact* exercised, that the objects of the Whiteboys are exclusively local, and that if any attempts have been made to engraft more general views, they have proved fruitless, has been shown by the detailed evidence already produced, to which may be added the general statement of Mr. Barrington.

"In your experience of the people, notwithstanding they have many faults, are you of opinion that generally speaking they are a people of a good and sound feeling?—I do think so. I never knew a single instance of hostility or combination against the Government for these last seventeen years. The Irish peasant is very much attached to any one who treats him kindly, but he is easily led astray.

"Within your experience they have had no political character?—No.

"And scarcely any that were tinged with a religious character?—I never knew but one case, and that was at Tarbert, a case of administering an oath to murder Protestants; that is a great many years ago.

"Was that after the Tarbert corps was formed?—I think it was."—H. C. 1832. Nos. 284-7.

The secret oaths are another means of connexion, such as it is, between Ribbonism and Whiteboyism.

"You consider (the Commons' Committee say to Mr. O'Connell) the insurrectionary movements which have taken place in the south as distinct from Ribbonism?—Entirely (he answers); the only feature they have in common is, that the insurrectionary movements in the south were also coupled with secret association, and oaths of obedience and secrecy."—H. C., 1825. p. 71.

Now, in some cases, it seems that the Ribbon oath directed against Protestants has been used for swearing in Whiteboys, or at any rate has been combined with the Whiteboy oath, so that hostility to Protestants has been added to hostility to land-jobbers.

There appears to have been a considerable variety in the oaths used by different bodies of Whiteboys in different parts of Ireland. One form of oath, unlike any other subsequently used, and merely relating to obedience and discipline, is preserved in the *Gentleman's Magazine*, as having been used by the original Whiteboys of 1762*. In the county of Leitrim, in 1806, the Thrasher's oath is stated to have been,—“To keep secret; to attend when called upon; to observe the Thrasher's laws; not to pay tithes but to the rector, and to pay only certain fees to their own clergy.” For the county of Longford it is given in similar terms, viz.,—“To be true to Captain Thrasher's laws, to attend when called upon, not to prosecute Captain Thrasher or any of his men, and to meet them the following night†.”

In more recent instances a distinction is pointed out between the Whiteboys' oath and the Ribbon oath.

Major Warburton.

“Have you had any opportunity of discovering any distinction between the species of oath which was introduced into the county of Clare from the county of Galway, from the illegal oath which you had known taken in the south, on your first introduction into that county?—I think the Ribbon oath was different from the Galway oath.

* Vol. XXXII., p. 183. It is reprinted by Plowden, *Hist. Rev.*, vol. i., p. 344.

† Trials of the Thrasers, pp. 257 and 303.

"In what did it differ from the Galway oath?—I consider the Ribbon oath more a political oath; I think the other was more for local objects.

"In which of those oaths was there mention made of Protestants?—Principally in the Ribbon oath."—H. C. 1824. p. 136.

Mr. R. Cassidy, with respect to the Whitefeet of the Queen's County.

"You have not seen their oath?—I have seen, and I have endeavoured to ascertain what the oath was; I have seen what was reported to be their oath.

"Did it contain any clause pointed in its hostility to Protestants?—One of the oaths I have seen was distinctly pointed against the Protestants; but in other instances where I have endeavoured to ascertain what the oath was, I have never been able to find that it was levelled against persons of any religious persuasion in particular."—H. C. 1832. Nos. 5981-2.

Two oaths are produced by the witnesses before the Committee of 1832. The first is avowedly a Ribbon oath, and was obtained from a Ribbonman by Mr. Hugh Boyd Wray, who gives it in evidence.

"Ribbon Oath, as given me by approver, J. ——— Re, 10th Jan., 1832:—

"HERE, in the presence of God, and sign of the Cross, I certify and swear on oath, at the hazard of my life, to be true to all orders and regulations made under the Duke of Ostridge and his committee.

* * Here follow the regulations, which are also sworn to:—

"No. 1. To be true to the Ribbon Acts.

"2. Never make a Ribbonmen without the consent of seven, and presence of three brothers.

"3. Never let bishop, priest, or deacon, know, but in gaol confession, the man that made you.

"4. Never spare, but persevere and wade knee-deep in Orange blood.

" 5. Never have carnal knowledge of a brother's wife, sister, or first cousin.

" 6. Never have a shilling, but you'll give half to a brother to save him from death or transportation.

" 7. To be ready at twenty-four hours' notice to walk from one to ten miles, or ride from ten to twenty miles, when called upon by a brother.

" 8. To give money when called upon, to purchase arms and ammunition.

" 9. Never strike a brother, and know him to be one.

" 10. Not known.

" 11. Never make a *man* without sanction of the *man* who made you.

" 12. Bear to have your right arm or left cut off from your body, and nailed to the gaol door of Armagh, before you way-lay, betray, or give evidence against a brother.

" 13. Never aid nor harbour a robber in company, and know him to be one.

" 14. Pass-word, 'What does the three L. L. L. stand for?' Answer, 'Louth, Longford, and Limerick.'

" N.B.—In a former oath had from a private informant, the Ribbonman swore not to serve His Majesty unless compelled by hardship; and that when the day comes, to fight, and wade knee-deep in oppressors' blood, and that neither the groans of men nor the moans of women shall daunt him, for the ingratitude shown to his brothers of the Catholic church.

" And furthermore, a man acting contrary to his oath, to be put an end to as soon as possible."—H. C., 1832. No. 3998.

The second, which agrees in substance with the first, bears on its face the confusion of Ribbonism and Whiteboyism just adverted to. It is furnished by Mr. Myles O'Reilly, who states, that "it is a rough copy of a Whitefoot's oath, as it was then practised in the Queen's County, and over all Ireland."

“ Oath of a Whitefoot.

“ 1. I solmly sware to be loyall and true to this New Ribbon Act.

“ 2. I sware, I will to the best of my power, Cut Down Kings, Queens and Princes, Duks, Earls, Lords, and all such with Land Jobin and herrisy.

“ 3. I sware that I will never Pity the moans or groans of the Dying, from the Cradell to the Crutch, and that I will wade Knee Deep in Orange Blood.

“ 4. I sware I am to Bear My right arm to be Cut of and trow over the left shoulder and nailed to the traples Door of Armagh before I will way lay or betray or go in to any Court to Prosecute a Brother, known him to be such.

“ 5. I sware I will go ten miles on foot and fifteen Miles on horse Back in five minutes' warning.

“ 6. I sware I will give Money to Purchase and repair fire arms ammunition and the Like, and every other weapon that may Be wanting.

“ 7. I sware I never will tell the man's name nor the man's name that stood By making me a Ribbonman or whitefoot to any one under the Cannopy of heaven, not even to Priest, Bishop, or any in the Church.

“ 8. I sware I will not stand to hear hell or confusion Drank to a whitefoot or Ribbonman without resisting the same or quitting the Company.

“ 9. I sware I never will Keep a robber's company Nor harbour him, except for fire Arms.

“ 10. I sware I will not make foul freedom with a Brother's wife or Sister Known them to be as such.

“ 11. I sware I will not Keep the second Coat or the Second Shilling and a Brother to Be in want of relief, Known him to be as Such.

“ 12. I sware I will not Be present at the Making of a ribbonman or Whitefoot without Praper orders from our Captain.

"In pursuance of this spirituall Obligation So Healp mee God *."—H. C., 1832. No. 5834.

The latter oath was proved by a witness at the assizes at Maryborough, whose credit is called in question by some of the Catholic clergymen examined by the same committee.

Rev. Nicholas O'Connor.

"You stated you never heard that a portion of the White-foot oath was a sworn hostility against members of the Established Church?—I never did, and I am very sure it never was so.

"You never heard of any evidence to that effect having been given at the assizes at Maryborough?—I did, but I do not believe the woman; I am very sure she told a falsehood. I have consulted other clergymen upon the subject, and they have all disbelieved her; their hostility is directed against Catholics as well as Protestants who take their ground.

"Against the well-disposed Catholics?—Yes, that abhor their conduct."—H. C., 1832, Nos. 3250-2.

Rev. Michael Keogh.

"Was there any part of the oath levelled against the Protestants?—No; I heard of that at Maryborough, but I never believed it."—H. C., 1832, No. 4669.

* The following is given as the proper Ribbon oath, by Colonel Verner, in his evidence before the Committee on Orange Lodges (No. 228):

"I, A. B., in the presence of Almighty God, and this my brother, do swear that I will suffer my right hand to be cut from my body and laid at the gaol door at Armagh, before I will waylay or betray a brother; that I will persevere, and not spare from the cradle to the crutch, and from the crutch to the cradle; that I will not pity the moans or groans of infancy or old age, but that I will wade knee-deep in Orangemen's blood, and not do as King James did."

It will be observed that the formulas in the text agree so nearly with the above oath, as to make it evident that they are derived from this model.

The statement of Mr. Delaney, the parish priest of Ballynakill, is more general.

"Have you seen or heard the nature of that oath by which those people are bound together?—The oath, as I understand, varies in different districts; it is a compound of folly and impiety.

"Have you heard any portion of that oath that goes to bind the parties to the destruction of heretics or Protestants?—I never heard it, nor do I believe it forms part of the oath; I got one or two persons to repeat the substance of the oath, and, as I remarked before, it was a compound of impiety and folly.

"But you never heard of it being directed against the Protestants, or the establishments of the country?—I induced two persons, who came to me for the purpose of renouncing this bond of iniquity, to repeat to me the substance of it; I did so to convince them of its impiety, and no part of it had any such tendency.

"Do you think they told you the whole of the oath?—I have no reason to believe that one of them did not; he was rather candid with me, and seemed deeply penetrated with sorrow for his past conduct."—H. C., 1832, Nos. 4453-6.

These witnesses are doubtless quite correct in stating that in point of fact the hostility of the Whiteboys is as much directed against the Catholics as against the Protestants; but there does not therefore seem sufficient ground to discredit the testimony of the individual who proved the oath in question. It is quite conceivable that Whiteboyism may have a predominant and almost invariable tendency; and yet that the Whiteboys should in some cases adopt a form of oath (in which the peculiar objects of their own combinations are comprised), from a confederation of a somewhat similar but more general nature, better organized, and better provided with the machinery for spreading such associations. It

is the ceremony of swearing, rather than the precise terms of the oath, which is important in these transactions. Probably most of the persons who take such an oath, would not, on the following day, be able to give a very clear notion of its contents; they only know that they have been sworn, and are bound to aid and abet in whatever projects they may be called on to execute. And allowing all possible weight to these long formulas, it must be remembered that men's conduct is to be judged by their acts, not by their professions. It is quite conceivable that men may swear to do a thing, which nevertheless is never done: that they may swear to cut down kings, lords, land-jobbers, and heretics; and that they may forget kings, lords, and heretics, and only concern themselves with land-jobbers.

If it is established by the most unvarying and unimpeachable testimony that the Whiteboys do not in fact attempt to extirpate the Protestants, or to wage a religious war, it seems idle to urge in proof of the opposite opinion that they sometimes swear to do so. Where the administration of an illegal oath is concerned, it may be allowable to suppose, that men may prefer their interest to their duty; may do what they think advantageous for them, although they may have promised to do otherwise. What would be said in a court of justice, if it was offered to prove that a man *had done* something, because he had sworn that he *would do* it? The Irish Whiteboys may be a dangerous and wicked set of men, but we are not on that account to condemn them of the most sanguinary and atrocious designs, on evidence which no court of law would hold sufficient to charge a man with the payment of a shilling.

It may be likewise observed, that the natural and

most useful propensity of mankind to pry into what is hidden, sometimes leads to the attributing of too much weight to the knowledge of men's secrets, when their motives are sufficiently apparent from their acts. Hence it is imagined that some new and important information may be derived from the dying declarations* of Whiteboys, or their secret oaths; when in truth the invariable tenor of their outward conduct, which rests on facts of general notoriety, is the best expounder of their inward thoughts. Furthermore, it is to be remembered, that when men's interests impel them to use violent and illegal means, and to form secret combinations, in order to gain certain ends, we are not to suppose that those ends are always distinctly conceived, or that the purposes of the Whiteboy association are as clearly defined, for example, as those of a geological or an astronomical society. Men are often concerned in the working of a system, nay, they may even contribute to its development, without presenting clearly to their minds the objects at which they are aiming, or the rules by which they are guided. The happy combinations of genius, accompanied with an obscure consciousness of the end in view, have produced some of the most perfect creations of art and poetry. If Homer and Shakspeare could be raised from the dead as they were in life, they would probably be able to give but an imperfect idea of the processes by which they arrived at the perfection of epic and dramatic poetry. How much less are we to expect from an illiterate Whiteboy, that he should be able to express the ends of his association in a neat and precise formula, that he should be able to define with logical accuracy the objects of an union

* See above, p. 123.

which he had joined only from a vague instinct of self-preservation.

We must moreover guard against an error, not unfrequently committed, of attributing to insurgents a fixed design, and a consistent course of policy. We see how wavering and changable are the plans even of settled governments; the members of which can openly meet, and discuss their intended proceedings; who are always supplied with early and authentic intelligence; who have every facility of communication; and whose proceedings are necessarily limited in great measure by traditionary constitutional maxims, by the routine of office, and by the various barriers with which custom and opinion have hemmed in the path of a government. How much less unity of purpose and consistency of action is to be expected in bands of ignorant peasants, unaccustomed to the management of business, meeting only by stealth and at long intervals, unable to communicate with one another, and scantily supplied with information; when they rise in small scattered bodies over a considerable tract of country. In Wat Tyler's rebellion, when the peasants of Kent rose, in order to shake off the burdens of villeinage, and, after their first success, marched to London, they are said to have meditated the destruction of all nobles, judges, lawyers, bishops, legal documents, &c.; projects which, Rapin observes, they probably made over their cups when on their way to London. The peasantry of Ireland, like the villeins of Kent, have doubtless been conscious of intolerable suffering on account of their relation to the owners of the soil, and they have organized a system of self-protection, in order to shake off this immediate and pressing evil; but they have

never raised their minds to the contemplation of so lofty an object as the triumph of a religious creed, more than, in the rebellion of 1798, they were able to comprehend the meaning of political liberty, which they were told was to be the result of their success*.

Finally, it may be remarked, in reference to the supposed influence of religious feelings on the conduct of the Irish Whiteboys, that there appears to be a disposition to attribute insurrections of the peasantry rather to the mistaken religious zeal of the insurgents themselves, than to the real cause, the oppression of their masters or landlords. The insurrection of the Bagaudæ in Gaul, in 287 A.D., has been attributed by some modern writers to the opposition of the new christianity to paganism†. Wat Tyler's rebellion has been referred by Catholic historians to the influence of Wycliffe's doctrines‡; and the German peasants' war in 1525 has been repeatedly imputed to Luther's writings and the Reformation§. On the other hand, it is insinuated that the risings in England in the time of Edward VI. (of which the declared object was to prevent the enclosure of commons) arose, if not wholly, in great part at least, from the distaste of the people for the recent changes in religion||. Explanations of this kind appear in general to be the efforts of a sectarian spirit to throw discredit on a heterodox form of

* See above, p. 38, *note*.

† Wachsmuth, *Aufstände der Bauer im Mittelalter*, in *Raumer's Historisches Taschenbuch* for 1834, p. 288.

‡ Lingard's *History of England*, vol. iv. p. 236, 238. See Wachsmuth, p. 374.

§ Pfisters *Geschichte der Deutschen*, vol. iv. p. 72.

|| Lingard's *History of England*, vol. vii. p. 57-61. It certainly appears (and the difference is remarkable, as bearing on the history of the reformation in the two countries) that Protestantism was the popular cause in Germany, whereas the converse was the case in England.

religion, by imputing to it mischievous temporal effects. Even if the agitation produced by the recent religious changes may have unsettled the minds of the English and German peasants in the sixteenth century, and rendered them prone to insurrection, it is clear that their movements were exclusively directed to worldly objects, and that if they had no *economical* grievances, the *religious* excitement would never have driven them to take up the sword.

Before we close this part of the subject, it may be proper to advert to the alleged connexion between Whiteboy disturbances in Ireland and *political agitation*. Those persons who seek to represent all the evils of Ireland as springing from Catholicism, either as a religious system or as a political party, are fond of attributing local disturbances to the discontent produced by the speeches and writings of the Catholic leaders. If no weight is to be allowed to Mr. O'Connell's repeated disclaimers of any desire to promote Whiteboy outrages; if no weight is to be attributed to such documents as Dr. Doyle's Address to the People against the Whitefeet and the Blackfeet; it may at least be expected that persons who require additional evidence will be satisfied if it can be shown, that the leaders of the Catholic party have no *interest* in fomenting these crimes. The great strength of the Catholic party in Ireland consists in their legal combination to carry their own objects, or, at the most, in their legal resistance to the law. This combination and this passive resistance are organized by persons of a high class, and are intended to produce results which will affect the rich far more than the poor. On the other hand, the weakness of the Catholic party in Ireland consists in the turbulence of the peasantry, which

enables the Government to direct severe coercive measures against them, and which exposes them to the imputation of savageness and atrocity, and thus throws a discredit on the whole Catholic body. Nobody, who considers the state of Ireland without party bias, can doubt that Mr. O'Connell is perfectly sincere in exhorting and imploring the poor Catholics (as he has frequently done) to abstain from crime and outrage. When Dr. Doyle told his diocesans, that "he had witnessed with the deepest affliction of spirit the progress of illegal combinations under the barbarous designation of Whitefeet and Blackfeet;" that "he had laboured by letter and by word, by private admonition and by public reproof, to arrest and to suppress this iniquity;" when he "instructed the faithful, that whosoever assists, encourages, aids, or abets the Whitefeet, Blackfeet, &c., by command, advice, consent, by praise or flattery, becomes an accomplice in their guilt, and a partner in their crimes*;" he was as earnest and sincere as when he openly called on the people to resist the payment of all dues to the Established Church, and prayed that "their hatred of tithes might be as lasting as their love of justice." The scattered, intermitting, and (as Mr. O'Connell calls them) driftless acts of outrage which are committed by the Whiteboys, can have no tendency to weaken the Protestant party, and only serve to prejudice the Catholic cause†. In fact, the

* Dr. Doyle's Admonition to the Clergy and People within the Dioceses of Kildare and Leighlin.—H. C., 1832. App. ix., p. 116. See also the Pastoral Letters of Irish Catholic Bishops, mentioned above, p. 30.

† It was with this feeling that Mr. O'Connor, in a letter to Dr. Curry, written in March, 1763, said, "I lament, for the sake of all our people, the new insurrection in Munster. I think, however, that it must be soon over."—O'Connor's Hist. of the Irish Cath., Part I., p. 303.

great difficulty which the advocates of that cause have had to contend with, is not so much the weakness of their case as the bad character of their clients. They have had to struggle not only against the hostility of party men to their religious tenets, but also against the repugnance of moderate men to the violence and brutality too often apparent in the outrages of the Catholic peasantry. It would be strange, indeed, if they sought by apparently sincere exhortations to lead their followers into a course which they thought pernicious to themselves, but which was in fact beneficial.

That the subordinate persons who carry on the work of political agitation in the country are not spared by the Whiteboys, is testified by Colonel Johnson.

“Do you think there is any connexion between the Whitefeet in Queen’s County and those you denominate demagogues?—I think they are led by them.

“Do you think the demagogues advise them to break the law?—They tell them not to break the law, but I have no doubt they sincerely wish them to do it.

“Have not some of the demagogues suffered in their property?—Yes, some of them have.

“Is it likely they would instigate them to do that by which they would be sufferers?—I do not think they contemplated they should be attacked; but, by courting popularity, they thought they were making friends for themselves.

“It has turned out the reverse?—Yes.

“Have not those individuals you think in some degree the authors, and remotely the promoters, of this mischief, suffered themselves?—Yes, they have.

“Have they been attacked in their houses?—Yes; and some of the farmer agitators in the Queen’s County are the most oppressive people in the country.

“Have they been served with notices?—Yes.

“What have they been desired to do?—To treat their

labourers better, and pay them better wages, and feed them better.

"Have they had arms taken from them?—Not from any that were decidedly leading agitators.

"Then the Whitefeet exhibit a feeling that those persons have not been free from the faults they charge upon other persons?—Certainly."—H. C., 1832. Nos. 904-14.

Nevertheless, it is true that the spirit of disobedience to the law which has grown out of political agitation has contributed indirectly to the spread of Whiteboy disturbances; and, in particular, that the recent resistance to tithes has led to extremities which probably alarmed and afflicted the authors of it. On this subject there is an impressive statement of Lord Wellesley, in a dispatch already referred to.

"I cannot (he says) employ words of sufficient strength to express my solicitude that his Majesty's government should fix the deepest attention on the intimate connexion marked by the strongest characters in all these transactions between the system of agitation and its inevitable consequence, the system of combination leading to violence and outrage; they are inseparably cause and effect; nor can I (after the most attentive consideration of the dreadful scenes passing under my view), by any effort of my understanding, separate one from the other in that unbroken chain of indissoluble connexion*."

That the outrages connected with the resistance to tithe in 1832 and 1833, were not merely aggravated by political agitation, but sprung directly from it, is certain; but that, in a general point of view, there has been no indissoluble connexion between Whiteboy crime and agitation is so notorious that it is evident that Lord Wellesley could not have meant to extend

* Papers relating to the State of Ireland, 1834, p. 4.

the application of his words beyond the particular case in question. The Whiteboy disturbances originated and flourished at a time when the Catholics had no political organization, no leaders, no association, no means of expressing a joint opinion; when, in short, political agitation, as a system, was unknown*. The disturbances before 1815, of which an account has been already given, could not have arisen from political agitation, more than the death of Socrates could have been caused by the Inquisition. Agitation may have heightened the disease; but the disease itself and the predisposing causes were already in existence.

* In point of fact, the little tendency to agitation which existed at the end of the last century in Ireland was repressed by the fear lest the political leaders should be confounded with the peasant insurgents.

"In the succeeding years of 1764, 1765, and 1766 (says Mr. Wyse, in his *History of the Catholic Association*, 1 vol. p. 89.), the Catholics were too much alarmed by the outrages amongst the lower classes to think of assuming any corporate form which might excite or justify a suspicion of the slightest connexion with these disturbances. It is a remarkable feature in the early history of this body, that it seems throughout to have had no communication or sympathy with the people. Neither in a collective nor individual capacity do the Catholic gentry and clergy appear to have had much control over the lower classes of their communion. Mr. O'Connor frequently complains in terms of just bitterness of the more than Protestant severity of the Catholic landholders; and the thunders of the episcopacy, and the exhortations of the lower clergy, in the insurrection of Munster, fell idly on the affections and fears of the infuriated peasantry."

CHAPTER IV.

MEANS EMPLOYED IN IRISH DISTURBANCES.

HAVING, in the last chapter, explained the general character of the Whiteboy disturbances, and the objects which are sought to be attained by them, we now proceed to consider the means employed for arriving at these ends.

In order to understand the machinery by which this system is worked, it will be in the first place desirable to ascertain the *description of persons* concerned in working it. In general it may be said that they are the worst characters among the labouring agricultural population, frequently young unmarried men employed as servants by farmers. These persons, it will be observed, are not suffering under any immediate distress; their objects can only be general, to avert a state of things by which persons of their class actually, and by which they themselves may hereafter, suffer. In some cases, however, persons already ejected have taken part in the outrages, and at any rate, have been actively employed in disseminating a spirit of disturbance, and in rousing the peasantry to avenge their wrongs*. The leaders of factions (on which subject more will be said at the end of the chapter), likewise are often concerned in heading the Whiteboy outrages.

The following testimonies will explain this point.

Major Willcocks.

"What description of persons have you found engaged as

* See above, p. 80.

disturbers of the peace in Tipperary ; the very lowest class, or something about that ?—I think the very lowest class of peasantry and servant-boys ; what I mean by servant-boys are men hired with the farmers by the year.”—H. C., 1824, p. 99.

“ Of what description have been the persons punished under the Insurrection Act ; poor and ignorant, or otherwise ?—Mostly poor and ignorant.

“ Are you acquainted with the extent of organization to which this combination had extended ?—I have some idea of it ; I think there was for some time a better class than they concerned in it. The farmers, at one time, rather encouraged it, for they thought they would be benefitted themselves ; and when the country was getting better, and when we were putting these fellows down in the county of Limerick, a proclamation issued from what they called the Commons of Rathkeale, stating that no man should hold more than one farm ; that any man who held more farms than one should give them up, that they might themselves have a chance of getting one.

“ Do you think that this combination consisted of any among a higher class of people than those who were generally the executive persons in it ?—I think it might ; but no person of that description ever came to my own knowledge. I may have reason to think there was some person behind the curtain that I was never able to reach, but I never knew such a person ; I think there were persons encouraging them who were themselves of a better class.”—H. L., 1824, pp. 58, 59.

George Bennett, Esq :—

“ Of what description were the persons who were transported under the Insurrection Act from those counties ?—There were very few actually transported in the counties to which I refer ; the persons convicted were, with one exception, persons of the lower order of labourers or farmers. Labourers and farmers in Ireland, of the lower description, are united, I conceive, generally ; they both labour and have also small farms,—people of that description,—cottiers is the most accurate description.

"Of what description is the one person who was not of that order?—He was the son of a farmer who, in the good times, had a considerable profit rent, whose property fell very much, and who at this moment, I understand, has a profit rent of about 400*l.* a-year, incumbered by debts that he contracted in good times.

"Do you know whether any of the persons convicted were leaders of disturbances?—I believe that man was; and I have every reason to believe it, because on his person a written paper was found which contained the oath which I understand he was circulating; it had been found some time before, and contained a number of directions respecting it.

"Of what description in general are the leaders of disturbances?—I cannot form an opinion, except in that instance, further than this, that in other counties I have heard they were persons of a low description; I do not know of any ostensible leader of any high description; none of moderate property, except the person to whom I have alluded*."—H. L., 1824, pp. 32, 33.

Major Powell :—

"Of what description have been the persons in general who have committed outrages?—Of the lowest description; persons who have no homes or character."—H. L., 1824, p. 106.

Major Warburton :—

"What was the description of the captain, or the person whom you described as a captain, who was taken in the barony of Inchiquin?—He was a very wretched person.

"Was he a peasant or a farmer?—He was a peasant—a labourer I think.

"A common labouring man?—Yes.

"Was he one of those that found his way from the neighbouring county, or one who had been prepared by the swearers

* With regard to this individual, Mr. Bennett gives some further details in H. C., 1824, p. 82.

of a preceding night?—As well as my recollection serves me, he had been sworn on a former night, on the border of the county, and was going forward, in consequence of his oath, to fulfil the duty imposed upon him.

“ You call him captain, because he appeared to command the party?—He was taken in the act of going forward, and cheering the party to follow him on for the purpose on which they were sent.

“ Was he distinguished by any particular dress?—I think he had a white band round his hat that night.”—H. C., 1824, pp. 134, 135.

M. Barrington, Esq. :—

“ Are the people totally devoid of all property?—I think the persons generally concerned in the disturbances are the poorest description of farmers or labourers.

“ That is, they are persons seeking by force to keep possession of lands of which they have had notice of ejectment?—Very often they are so, but I do not think they have a combined object. Every case of outrage has its own immediate cause.

“ Do you imagine that there were a great many individuals concerned in the association in Clare?—A great many ; almost the whole peasantry of the country.”—H. C., 1832, Nos. 23, 24. 27.

The O’Conor Don :—

“ What class of persons were concerned in those disturbances [in the county of Roscommon]?—They were, in the commencement of these disturbances, of the lower order of people, but in the end it was said they were joined by persons in better circumstances.”—H. C., 1832, No. 293.

W. W. Despard, Esq. :—

“ On the late trials at Maryborough did it appear what class of people were engaged in these outrages?—The people convicted on my side of the county were of the very lowest class.

"Did anything appear to lead you to think that respectable persons were engaged?—I think there were persons from the neighbourhood of the colliery of a respectable description."—H. C., 1832, Nos. 415-16.

Colonel Johnson, being asked who are the parties concerned, answers—

"The lower orders; and a good number, I will not say of the very best farmers, but the middling description. I cannot but say they are parties concerned, for they will not assist us in detecting these people,—quite the reverse."—H. C. 1832, No. 757.

Major-General Crawford, occasionally resident at Castle Comer:—

"What description of persons are engaged in these lawless proceedings?—There are a considerable number of farmers, but the greater number are of the lower order and ill-conditioned; there are some schoolmasters in it, who are great inciters to it, one of whom was made prisoner."—H. C., 1832, No. 2055.

Robert Cassidy, Esq.:—

"Have not large numbers of the lower orders, and even the small farmers, been engaged in this Whitefoot and Blackfoot conspiracy?—I rather think not; my information leads me to think that neither the class of persons to whom I have alluded, namely, heads of families, nor men of generally good character, had been in those Whitefoot associations.

"Then, is it your opinion that the Whitefoot and Blackfoot associations, or other associations connected with the disturbance of the public peace, are confined to a few in the county?—I conceive that they are not confined to a few; but I think the majority comprising them are persons of bad character, and without either house or home, or anything whatever to attach them to the state by any tie of interest.

"How do you reconcile the state of the county as to general outrage and insecurity, with the notion that the ma-

majority of the lower orders have not embarked themselves in these outrages against the public peace?—I conceive that the outrages have been committed by a few; that the majority of the persons, either from intimidation or other causes, do not wish to expose themselves as informers, not knowing to what extent the combination extends; and I conceive there is also another and very prevalent assistance or power that those persons receive who commit breaches of the peace, which is, that the small farmers of the country are of opinion that but for those outrages their lands would be taken from them on the fall of their leases, and that strangers are deterred from coming into the country to take their lands, in consequence of the outrages which have occasionally been committed in it; and although not themselves actually participators in the outrage, they are calm or rather silent spectators of a few committing the outrages which have disgraced the county.”—H. C., 1832, Nos. 6415-16. 6418.

Any persons engaged in a lawless course of life are likely to take a part in the Whiteboy disturbances when they have once begun.

“Is it within your knowledge (Mr. Griffith is asked) in what manner the persons who had been engaged in that lawless course of life occupied themselves in the close of the year 1821?—A great number of those smugglers became leaders of Whiteboys in the district I have been describing. (The south-west counties)

“Do you mean that they quitted the coast, and betook themselves to this particular district?—Smuggling was conducted by a chain of people connected with the coast, and running through the mountains; a great number of these people belonged to the particular district I have been describing, and finding that their trade in smuggling was destroyed by the exertions of the preventive water-guard, they turned their attention, and were the chief actors, in the Whiteboy warfare.

“The insurrection broke out in the autumn of 1821, did it not?—It did, in the county of Limerick.

"Can you say in what manner those smugglers of which you are speaking were occupied during the spring and summer of 1821?—I think they, and some discontented farmers connected with them, were the fomenters of the Whiteboys, and were the chief leaders in the mountain parts of it.—H. C., 1824, p. 228.

Occasionally, however, a somewhat higher class are implicated, partly from interest, but chiefly from intimidation: anybody, in fact, who wishes to resist the law may, if he is inclined, make use of the services of the Whiteboys*.

Mr. Blackburne:—

"Can you speak as to the sentiments of the better and middle ranks of farmers in the county of Limerick, with respect to the continuance of the Insurrection Act?—I cannot; if I were to form an opinion, I should say that several of them have felt an interest in those disturbances, and that their immunity from the payment of rent during the disturbances was an advantage they felt they derived from them. I recollect particularly a case, in which a farmer of opulence had screened and protected two men charged with murder; and they were discovered under a bed, upon which his wife and daughter were lying to conceal them. I recollect another instance, in which a farmer came forward to prosecute a man upon a charge of delivering a threatening message; and the cross examination of this man by the prisoner himself, went to show, that the farmer brought forward the charge under a belief that the prisoner, who knew his secrets, would betray him, and bring him to justice for some insurrectionary offences, unless he was before-hand with him."—H. C. 1824, p. 18.

Mr. Barrington:—

"You have found no substantial person possessed of property ever engaged in these disturbances?—I have never found any but the lowest occupiers of land. I do not even recollect an instance of any man of any substance, except three or four

* See above, p. 150.

years ago, at Doneraile, some farmers were concerned in an outrage.

"Did you understand that these people had joined willingly, or from necessity or intimidation?—That case never came to such a result as to trace its origin sufficiently.

"And that is a solitary instance?—It is.

"Have you generally found that farmers of substance, finding themselves getting into arrears, on a disturbance coming into the county, look rather favourably on it, as a probable means of their continuing their farms?—I cannot say that they have done so.

"Have you ever known farmers' sons connected with these disturbances?—Very frequently. There was one executed for the murder of Mr. Blood; the father would not believe it until Mr. Blood's watch was found in his house, and it was said that he was so indignant that he would not see his son previous to execution, though the rest of his family did."—*H. C.* 1832. Nos. 53—7.

Hovenden Stapleton, Esq. :—

"Of what class of persons are the head committee?—I think men rather above the lower order, who in the collieries are called contractors of pits, some of whom hold a good deal of ground, and are in comfortable circumstances.

"That class of persons in the country, do they do nothing that interferes with the feelings of the lower orders; do they never turn out tenants?—They have been as great land-jobbers as others, and as oppressive perhaps; but being principals or heads of the Whitefeet party, they are exempted.

"Do you think they take that character, and place themselves in some degree in connexion with the Whitefeet, in order to seek protection by it?—No, I do not think it is probable, although it is an object to secure protection. I think it is from their own nature and disposition those persons I speak of join in it. I do not speak generally of the respectable class of farmers, that the head committee is composed of such.

"What number of acres do those persons generally hold?

—One of them holds a considerable number ; I dare say about thirty or forty acres of land ; and I think his brother holds a considerable deal more.

“ Are they the better class of farmers ?—Yes ; but they have been mostly concerned in the coal business, by which means they have a great deal of influence over the lower class.

* * * * *

“ Several well-disposed farmers in the country have come to me, and said, ‘ Will there be any law given to keep these people from coming to our houses, and visiting us at night ? ’ Others have told me they have not slept a wink for many nights, watching their sons for fear they will get out.

“ In speaking of the respectable farmers that spoke to you about the state of the country, wishing something to be done to check outrage, were they Catholic farmers ?—Mostly. The men convicted for Whiteboy offences are not the persons most deeply concerned in these outrages. I know one man convicted at the last sessions, a young man of most excellent character ; several came forward to give him a character : many I am sure are forced into it, and many have left the country to avoid the system. Parties who go out at night decoy the sons of farmers and others, who may be detected and brought to punishment, as at the last sessions, and who are now under the sentence of transportation.”—H. C., Nos. 1519—23, 1859, 1870.

Matthew Singleton, Esq. :—

“ Amongst those persons called Whitefeet, are there any respectable farmers, or are they confined exclusively to the lower classes ?—There is a man now under sentence of death in Maryborough gaol, who is one of the most respectable class of farmers ; he is of, the name of James Dowling, and he was the next-door neighbour to Mr. Jacob, whose house was attacked, and I have found many of that class equally connected with the disturbances in the county of Galway.

“ Do you consider that many of that class have joined this illegal association from oppression ?—Certainly not of that

class; at the same time I must say, and I firmly believe, that there are many persons forced into the disturbance of the country from intimidation."—H. C., 1832, Nos. 4105—6.

The circumstance that few of the parties immediately concerned in the Whiteboy outrages possess any land, has misled some persons into the error that the occupation of land is not the main object of them.

"I do not know (says Mr. John Bray) that the letting of land has anything to do with it, for I do not think any of those disturbers hold any land: except a few of them, they are the very lower orders.

"Have they not any real grievance (he is asked) to induce them to take this course?—They do complain (he answers) of the driving off the tenantry, and all those things that are grievances, more or less; but looking at the class of persons really Blackfeet and Whitefeet, I do not think that could affect them."—H. C., 1832, Nos. 3460, 3464.

In the first place it may be observed that none but the very poorest of the Irish labourers are entirely without land, either permanently or as conacre; but it by no means follows that because the parties concerned have no dealings in land, it is not the end of the system to regulate such dealings. They act on the general impression, prevalent among their class, that land is necessary to the maintenance of a poor man's family; and though they may not have a present, yet they have a future interest in the matter; though they may not be personally concerned, yet their kinsmen and friends and fellows are concerned. It would seem as if those who made use of this argument had forgotten that it is possible for men to be swayed by a regard for the general advantage of their order, without reaping any individual and immediate benefit. In like

manner we are not to conclude because all the Whiteboys are not ejected tenants, therefore the prevention of ejectment is not the object of their system: the fear of losing land may be as powerful a motive as the actual loss of it. This point is satisfactorily explained by the Rev. Mr. O'Connor.

"Are the Whitefeet in general persons urged by their necessities to combine?—Yes, at first they were; but now they have found it a useful system. I think if there was a legal provision for the poor, neither priest, nor bishop, nor pope, nor agitator, whoever they might be, could unsettle their minds.

"The object of the question was, to ascertain whether the men called Whitefeet were men driven by their poverty to form that association, or are they men not in that state of want that would appear to justify in some degree their joining in it?—Their poverty and destitution must be very great, from their being ejected out of their ground and turned adrift upon the world."

"Are the Committee to understand that the Whitefeet are confined to those ejected from their grounds?—It is not confined to them, but they have been the persons that first made it general, and others had an apprehension of a similar fate, and they have joined it from thinking it would be a protection to them to keep them in their land."—H. C., 1832, Nos. 3237—9.

Also the Rev. Mr. Delaney:—

"Are they the occupiers of land that form these associations?—Latterly there have been a few instances of persons occupying land compelled by the system of terrorism that so generally prevailed to join them: at first they were composed solely of persons alike destitute of property or character; generally speaking of the lowest grade in society.

"That being the case how could they consider rent a grievance, if they were so low as not to be themselves tenants?—That is one of the objects that they profess to have in view in

combining together; viz., in the first instance to better their own condition, to enforce an advance of wages, and to lower the rents of land generally."—H. C., 1832, Nos. 4359.—60.

The manner in which the system is to be worked, the crimes to be committed, and the mode of committing them, are of course the subjects of consultation among the parties concerned; all or most of whom doubtless know one another. But there does not appear to be any such regular organization as deserves the name of *committees* bestowed by some of the witnesses on these meetings. It seems as if the combination was very imperfect, except at times, when a blow is to be struck. Moreover, the practice doubtless varies in different places; but there appears no where to be a trace of any organization like that of the Orange or Ribbon lodges. The only testimonies to the existence of committees which I have met with are those of the following two magistrates of the Queen's County.

Colonel R. Johnson :—

"Have they any organization by committees?—I have reason to believe they have. On a search for arms that took place some time since in that part of the country, there was a regular case found drawn out, the same as a brief, stating the circumstances of the land that the man wished to lay claim to; in fact the case was decided on by the committee, and Rockite notices were found in this man's possession to be served on the individual he wished to eject.

"Can you trace the proceedings farther?—No, we could not; the man was put in gaol; he was not tried at the last commission, as well as I recollect.

"In cases where they have required parties to give up land, do you conceive it has been the result of a previous investigation of the claim?—I have no doubt of it; for some people who have remonstrated with these legislators have been told that

they might hold their possessions till they heard from them again, and it appears they have satisfied this committee that it would be a hardship in removing them, as they have been allowed to remain; at least they have not been interfered with; and it is generally supposed that these committees are to be bought over for a certain sum, but I have no proof of that." H. C., 1832., Nos. 759-61.

Hovenden Stapleton, Esq.:—

"Is the system governed by committees?—I have reason to think that it is. I think there is what they call a head committee, composed of seven members, who sit and discuss all matters; then there is a sub-committee under them, who receive orders from the head committee. The body at large are sworn to commit whatever may be ordered."—H. C., 1832, No. 1518*.

The following statements will, however, probably be found to contain a more precise account of the process in fact adopted.

Major Powell:—

"Does there appear to you to have been an organized system of outrage?—Yes; it does appear to be organized.

"Whom do you suppose to have been at the head of it?—That I am quite unable to answer. There is a general combination.

"What proof have you of that combination?—Persons have been reported to me, as having been taken in nightly assemblies, and coming from distant points to those meetings.

"Does that rest entirely on report?—All my information is on report.

"Have any such assemblies been discovered by the constables?—They have.

* A story about an organized system of Whiteboy committees, with signs and summonses in blank signature is told in Hickey's confession, already mentioned (p. 122,) which probably never had any existence except in his own imagination. H. C., 1824, p. 302.

"To what number were they assembled?—Forty or fifty, according to the population of the district.

"Have they been armed?—In no instance have they been armed when taken at such meetings; since the Insurrection Act has been in force, they do not meet."—H. L., 1824, pp. 106, 107.

M. Barrington, Esq. :—

"Are they governed by any committees?—I could never find out any, except in one instance at Doneraile; but there are oaths administered, and there are heads of parties, the most desperate character generally being the head or leader."—H. C. 1832, No. 25.

Wm. W. Despard, Esq. :—

"Have they any system of management, any committees?—Yes, they have, amongst themselves; they meet in public-houses.

"Do they investigate the cases, and decide what house they will attack, or what individual they will ill-treat?—Yes, they decide it some days previously to the attack.

"When there is an attack made upon a man to give up his land, is it the result of an investigation of the case, and the decision of the committee, and an order that the person shall be turned out of his land?—Yes, that is decided at a meeting of the committee previously concerted some days.

"Can you give a history of those Whitefeet as they proceed? You have spoken of the committees, can you say how they concert the attack of a house?—When a house is to be attacked, the man who gets up the attack will go off eight or nine miles or further; he will go to his brother Whitefeet; they know each other by signs; he brings this party or sends this party; he would be known himself; he sends that party to that house, and they attack the man's house, or take his arms, or beat him, or murder him, or shoot at him.

"They arrange this through a meeting of the committee?—It is arranged, I know; they generally meet.

"Do you mean to say that they are so combined they will be ready to go any distance to get a party to come and murder a man for a particular individual grudge of their own?—Yes, most certainly; they have done it."—H. C., 1832, Nos. 533-5, 547-9.

John Dillon, Esq. :—

"Do you think that this organization which exists in Queen's County is carried on under any general system, under any organized leaders, or is merely an ebullition of different portions of the county resisting their grievances?—I think it is the ebullition of different portions of the county on account of local grievances; there is no general organization in the county; the oath taken in one part of the county frequently differs from that taken in the other parts of it."—H. C., 1832, No. 2480.

Rev. Nicholas O'Connor :—

"Are these Whitefeet managed by any committees?—No, there are no committees among them; if they find a grievance, they communicate it to others, and strangers come, sometimes by night, to execute their vengeance, but of late most of the outrages, and the worst of them, have been committed by day.

"Have they any concert or plan of acting?—None, but what they devise amongst themselves on the spur of the moment."—H. C., 1832, No. 3190-1.

Notwithstanding the numerous and powerful motives which we have described as inducing the Irish peasant to join the Whiteboy combinations, yet when an occasion arises for an assertion of the terrors of this code, it seems that the bulk of the peasantry are unwilling to be personally concerned, and that the system is chiefly propagated by intimidation.

The means used for this purpose are, in the first instance, the administration of a secret oath, binding

the party sworn to lend his assistance when called on, for furthering the objects of the confederacy. The following very detailed account by Major Warburton furnishes an instance of a more systematic proceeding than probably has often occurred.

“Have you ever known any instances in which these illegal oaths have been administered through entire parishes and considerable districts in one night, by individuals not known to the parties taking those oaths?—A part of the system was, that a certain number went into one parish and swore a certain number; and the first part of the oath was that the person so sworn was to go into the adjoining parish and swear an additional number; it was pushed on in that way in the instance of the county of Galway; and when it first came into the county of Clare, from that county.

“In performance of that obligation they did proceed on the subsequent night, in the manner you have described?—They did.

“Were the persons who first swore the parish known to those who took the obligation?—They were not.

“Were they not in very small numbers?—The persons who appeared on those occasions were very few, they were generally accompanied by others, who held back; persons, I suppose, merely recruited on those occasions, and who might have been known if seen, but the parties exposed to those they came to swear were very few in number.

“Have you known an instance of a parish expecting, with great anxiety, the visits of those persons, and soliciting assistance and protection against it?—I have known that to have occurred in several instances.

“Have you not known the inhabitants leave their houses and lie out at night in the fields, to avoid these nocturnal visits?—I have known that to occur.

“Did it not happen to a considerable extent in the eastern part of the county of Clare, in 1819.20?—It did, certainly.

“In what numbers did those persons go about, who com-

pelled the inhabitants to take those illegal oaths?—The numbers were variously described to me; sometimes three and four, seldom more than six went into a house at any place; I have heard there were more voices outside the door, but the people generally said they were in those numbers.

“Can you state to the Committee what extent of country may have been sworn in one night by those bands?—I think, in one instance, there was an extent of country of three or four miles sworn in one night.

“Can you state to the Committee whether the mode in which this is done is not so regular and systematic that it would appear that the line of march for those bodies was laid down by some authority and direction, in consequence of its never being transgressed, or passed over in a particular line?—I know we considered it so at the time the swearing took place, that it was done with a great deal of order, a great deal of system.

“Can you state an instance, in which the line appeared so distinctly marked, that it would appear that the swearing was performed in consequence of some systematic orders that those bands had received; and if you recollect such an instance, will you state it?—I think I recollect an instance, when they came in by Rock Forest, in the county of Clare, in which that occurred, that they appeared to go in a certain direction, and swear all the young men in the houses in that certain direction, and they were met the night following, in consequence of following up that system.

“How were they met?—They were met by the magistrates, in consequence of following up that line, and some of them were taken.

“From whence did they appear to come?—From the county of Galway.

“Was the county of Galway much disturbed at that time?—Exceedingly disturbed at that time.

“In a state of open war almost?—Yes.

“Does not that confirm your opinion, that the disturbances in the counties of Ireland are generally spread by the circum-

stances of the adjacent counties being also disturbed?—Generally speaking, that is the case.

“Although the same causes which may have produced insurrection in one, may not have produced it in the adjacent county?—Yes.

“Will you state any other instance, in the year 1819-20, in which the swearing of parishes, by union bands at night, took place, to a great extent?—In the parish of Scarriff and the barony of Tullagh, I recollect a district being sworn, in which the road appeared to be the line of demarcation, and no person was sworn, except on one side of the road in that particular direction.

“How many do you suppose were sworn in the line which you describe, of about four miles, that was effected in one night?—The population were not sworn, generally speaking; they swore only some individuals; the adults and rather the young men; I suppose that the night I allude to, there could not have been less than from 150 to 200; I cannot speak with accuracy, but I know there was a considerable number.

“As far as you recollect, did it not appear to you, that the swearing in the two baronies on the eastern side of the county of Clare, the barony of Bunratty, and the barony of Tullagh, was effected by individuals who were strangers to the county, and, in general, to the population?—It certainly was, from everything I could learn on the subject.

“Did you not find, that from whatever motive it might have been, the population were extremely reluctant to take the obligations imposed upon them?—At that time they certainly were very reluctant to be sworn, and many, I understood from the local magistracy, apprized them and asked their protection; but we also found, that as soon as they were sworn, they were completely ranked in the system, and that they ceased, either to apprehend any consequence from it, or to communicate with those that they had before spoken to upon the subject.

“Have you not found, in general, that those who had, by any means, endeavoured to avoid being sworn, became, when sworn, the ready instruments of introducing others into the

association?—There have been numberless instances of that.”
—H. C., 1824, p. 132-4.

It appears indeed that the emissaries frequently go to a sufficient distance to prevent being recognised, and that the persons sworn are ignorant of those who administer the oath to them.

Mr. Blackburne:—

“Have you not known instances in which the population which has been engaged in insurrectionary practices are the reluctant agents of those who lead them to the act?—I believe intimidation and terror are a very principal means by which these conspiracies are established and diffused.

“Are they not frequently acting under the influence of a secret oath, and often in ignorance of the person who leads them, and of the object which they are to accomplish?—I believe they almost uniformly act under the influence of a compulsory oath; and I believe that this oath has been administered with so much secrecy, that, in the first instance, the persons who are sworn in know not the names of those who administer the oaths. I consider secrecy one of the most powerful auxiliaries of the system.

“And are not the persons who are frequently guilty of the worst acts, acting under the influence of those who are unknown to them?—I do not believe that, when they come to the perpetration of outrage, they are ignorant; outrages that required combination must have a leader, and the party must know that they are under the command of some particular individual; but at the time they are incorporated by being sworn, I believe, generally speaking, they do not know where the conspiracy originated, or who the person is who swears them, or who are their associates.”—H. C., 1824, p. 19.

Matthew Barrington, Esq.:—

“Can you state what means are taken by these gangs to propagate these systems, as you have given the Committee to

understand that there is a willingness on the part of the peasantry to commit crime?—I do not wish the Committee to understand any such thing: I believe the greater number join through terror and necessity, from the kind of houses they inhabit, and the retired situation in which they are placed. The parties to the murder of Mr. Blood went to the houses of many poor farmers to compel them to go with them. Some of these farmers told me that they were delighted to hear of their execution; they said so secretly, knowing I would not disclose it: they frequently made them join when they went out at night. Captain Rock (the man Delane, whom I have alluded to) told me that he has been obliged to threaten to fire at his own men to make them attack a house.

“What are the means by which they exercise these systems of intimidation over the lower orders?—By going to their houses at night, and swearing them to join, and be ready whenever they may be called on to take arms or to attack houses. If they refuse, or their wives or families should in any way prevent them, they were formerly carded, but latterly wounded or flogged, or some other punishment inflicted on them.

“Is punishment nearly certain to follow the non-execution of what is ordered to be done?—Most certainly; and the consequence is, the whole peasantry of a county, not having any means of resistance, are obliged to join. When this system commences, the whole country is soon in a flame if it is not discovered and instantly checked.

“In the first instance the gang obtains the support of a great number of individuals?—Yes.

“Do you make any difference between seduction and intimidation?—There is very little seduction; it is a willingness to join, or intimidation; they compel them by going to their houses at night.

“When these men take the oaths, does it appear to you that they continue among the disturbed people through the influence of the oath, or the intimidation that is continued?—Through intimidation; they do not mind the oath much.”—*H. C.*, 1832, Nos. 32—5; 58—60.

"Has it not fallen within your knowledge, that the approvers, in murders for instance, complained bitterly of the slackness of people under them, and the difficulty they found in bringing them to a point?—Frequently; they have told me, that they have been obliged to threaten the people they brought out, for not going out to attack a house, that they have been obliged to go behind them. A man called Captain Rock, whose name is Delane, a principal in the murder of young Hoskins, son of Lord Courtenay's agent, has told me that he had been frequently obliged to follow them with a pistol, and threaten to shoot them if they did not attack the house."—H. L., 1824, p. 305.

W. W. Despard, Esq. :—

"You have mentioned being bound together by an oath; have you ever seen the oath?—Yes, the Whitefeet oath I have.

"What is the character of it?—They are sworn to go as far as twelve miles to assist a brother; for instance, if a man took land, and another person thought he had a better claim to it than he, this man would go twelve miles away and bring strangers to attack that man, and sometimes burn his house.

"The oath implies an extended confederacy?—Yes.

"In what way are they able to extend their associations in regard to the number?—By administering that oath; and I am firmly persuaded there are many people who have taken that oath who have done it through fear.

"They exercise a system of intimidation over persons of their own class throughout the country?—Yes."—H. C., Nos. 394—5; 398—400.

John Dillon, Esq. :—

"What class of people are they?—People of the poorest description.

"How do they carry on their plan of operations?—They increase their numbers by a system of terror; those that are not willing to join them they compel by force.

"Is there a considerable number of those who appear to be

in the association that are not sincerely belonging to it?—Yes; many are there by force.

“What proportion should you say were forced to join against their will?—I think more than one-half are forced against their will; but when I say they are forced to join the Whitefeet, I think the greater number consider them, in some degree, a protection to themselves, that people, from dread, may be unwilling to take their holdings, or put them out of them.

“So that many look to the association for protection?—Yes; they think they have no other protection.”—H. C., Nos. 2350-4.

Rev. Michael Keogh:—

“Have you known of any persons having small portions of land being engaged in these conspiracies?—Yes, I have.

“Have they held land to a large amount?—No; a good many have been forced into it by intimidation.

“Did they take the first opportunity of retiring from the association?—Yes, in private; but they were afraid to do so in public.

“You think it is a system of intimidation that compels those who are now Whitefeet to continue so?—Yes; I think it is so with many of them.

“Then it is your opinion that if the government were to take measures to afford sufficient protection, that many of those who are now ostensibly Whitefeet would be glad of an opportunity of returning to peaceable habits?—I am sure they would; I know them to be anxious to do so.

“Do you not think there is a good deal of policy in it, and that many of them join the association in order to deter landlords from turning people out of their farms?—Yes, I think so, in many cases.

“So that they have a personal object in allowing it to go on?—Yes; that was the opinion I formed.

“There is nothing political in these associations?—I do not think there is.”—H. C., Nos. 4689-96.

Robert Cassidy, Esq. :—

“ Have not many been compelled to join by constraint and intimidation?—I think great numbers are obliged to join from a dread of personal injury or personal loss. The manner of compelling those persons to attend is by anonymous notices; in some instances where anonymous notices are disregarded, they are not followed up by any injury to the persons who disregard them; but in other instances those anonymous notices are followed by the destruction of the property or injury to the person of the individual who disregards them.”—H. C., No. 6417.

Mr. John Bray :—

“ Have they any particular means of increasing the numbers of the association; do they intimidate people to join them?—I have heard so, but I think that those persons who plead intimidation are half inclined to join; I think that the honest men could abstain from joining them by staying in and not frequenting fairs.”—H. C., No. 3463.

In a trial on the Leitrim Special Commission in 1806, Mr. Irwin, a magistrate, gives an account of going out at night and apprehending some of a party of Thrashers.

“ They all said they took the Thrashers’ oath; but each man justified himself by saying he was forced. I asked them why they went out with white shirts? They said they were forced to go out.

“ Did they say who were of the party?—They said they did not know any of the party who brought them out that night; that they were all strangers*.”

There can be no doubt of the general sympathy of the people with the cause of the Whiteboys, inasmuch as they consider their own interests bound up with its success; but it is equally certain that the majority of the witnesses are right in supposing that the unwilling-

* Trials of the Thrashers, p. 259.

ness of the peasantry to take a personal part in the outrages is quite sincere: as (to say nothing of the indisposition to commit atrocious crime where there is no individual wrong) they expose themselves in so doing to considerable risk. The risk of refusing to join is, however, still greater, as their only property, their cabin, can be burnt over their heads at any moment.

"In what way (Mr. Bennett is asked) can you explain the facility with which that system of terror has been introduced?—The people in Ireland (he answers) live very much in thatched houses; and it has very frequently occurred that a person who was well-disposed, and I believe well-affected, has, through terror, been obliged to join in the conspiracy in the country, lest his house should be burnt, and himself and his family murdered, from their unprotected state."—H. C., 1824, p. 82.

"One of the greatest and most frequent outrages we have (says Mr. Blacker) is burning houses of persons who are not their friends; and a person can very quickly run out of a house with a half-burnt turf in a kettle, run across two or three fields, put it into the thatch, and run back again."—H. C., 1824, p. 52.

Mr. R. Griffith is examined as follows in reference to the northern part of the county of Cork, when in a disturbed state.

"You stated that the middle gentry of the country are in a state of apprehension, and have their houses barricadoed?—At one time all the houses of the gentry were, to a certain degree, barricadoed.

"Do the farmers suffer any degree of apprehension?—No farmer who resides in a thatched cottage dare oppose anything he is directed to do, and consequently they are quite under the control of the disturbers of the peace.

"Do you mean anything he is directed to do by the disturbers of the peace?—He is obliged to do it; I have known

instances where farmers have received farm-servants who have been sent to them, and they have been obliged to employ them.

"According to your observation, persons resident in thatched houses suffer more apprehension than those who live in slated houses?—They are certainly entirely under the power of the disturbers of the peace, because their houses may so easily be set on fire."—H. C., 1824, p. 233.

The only persons who can hope to prevent the spread of the Whiteboy contagion are the priests, as they can advise the people with authority, and without being suspected of sinister motives. Moreover they are likely to obtain the earliest information of such proceedings. The following examples of the exercise of this influence serve likewise to corroborate what was said in the last chapter as to the disconnexion of the Catholic clergy with Whiteboyism. In some few cases, the resistance has been successful, or has at least served to postpone the evil.

Rev. John Keily, P.P., of Mitchelstown :—

"To what do you attribute the quiet of your parish?—I attribute it, in a great measure, to the good feeling of the people; and as it regards myself, I reluctantly speak on the subject; but as the question has been put to me, I certainly think I have exerted myself to a great degree. I was very early in the field; I live on the borders of the county of Limerick; the county of Tipperary comes very near my parish; I was appointed to the parish of Mitchelstown about the time that Mr. Baker, of Lismacue, was murdered, and I found, at that time, there were a few in my parish tainted with the spirit of Caravatism that prevailed in the county of Tipperary; and I reasoned with the people; and one morning, a number, I believe ten or eleven, of young lusty fellows came to my house, and declared to me that they were initiated in the system, and declared their sorrow for it, and that they would detach themselves from it. As soon as I heard of any

disturbances in the county of Limerick, immediately after Mr. Hoskins' business, I was on my guard; and I appointed, in the different villages in my parish, two or three individuals, unknown to one another, to apprise me of any encroachment upon the good feeling of the people; and through the exertions of those people, and through the good disposition of the parishioners generally, tranquillity was preserved. I ascribe a great deal of the merit of it to the people; they resisted any tampering with them. There were four or five sworn at a place called Milltown, on their way to Listowel; and on their return they applied to me, and I told them that by the Whiteboy laws they were obliged, within a certain time, to go to a magistrate, and give him information of it: they did so, and took the oath of allegiance. I recollect, on another occasion, a person came to me and said, that two or three strangers from the neighbourhood of Doneraile came to tamper with them; and I blamed the man for not having them taken up, or applied to the people, for I was sure they would have assisted in apprehending those persons, and he said it was better not; he said they proposed coming by night in a body, and swearing the people; and the man told me that the answer he made to them was, Let them come there in any number they pleased, they would be corpses. He spoke in Irish; in fact, it is an Hibernicism, that they would return corpses."—H. C., 1825, p. 401.

Rev. Nicholas O'Connor:—

"The [Queen's] county was usually quiet up to a late period?—It was perhaps the most peaceable county in Ireland*.

* This statement is doubtless true of a recent period; but it appears that the Queen's County was disturbed soon after the first Whiteboy risings. Twelve Whiteboys were capitally convicted at Maryborough, at the Lent assizes, 1776.—Annual Register for 1776, p. 146. See above, p. 19. The northern part of the county of Kilkenny, bordering on the Queen's County, appears likewise to have been disturbed from an early period. An attack of the Whiteboys on Ballyragget, in 1775, was mentioned above, p. 32. A skirmish between the people and the king's troops,

“ At what time did the change take place ?—About the year 1822. Having heard there were illegal societies in other parts of the kingdom, and from Maryborough being such a thoroughfare between Dublin and Limerick, and having eight fairs in the year, two assizes, and four quarter-sessions, I considered that it was very difficult for Maryborough to escape being infected, from the constant intercourse it had with other parts of the kingdom ; and as I thought that prevention was better than remedy, I was determined to speak to my parishioners against illegal societies. I spoke against the illegal oaths, and the crime of perjury that was committed in taking them. In the year 1822, during the incumbency of Mr. Waller, the Protestant clergyman of the parish, I heard, from a private communication, that there were some persons made Ribbonmen in the parish. I consider Whitefeet, and Blackfeet, and Terry Alts, under whatever denomination they may be, pretty much the same, and having the same illegal objects in view, except the Blackfeet, who did not take an oath, but took a declaration equal to an oath, in the latter part of their proceedings. They made a vow on their knees, and promised that they would follow a captain or leader. I was informed who they were, and I went individually to them ; there were about the number of twelve in Maryborough, and perhaps in the whole parish they amounted to about twenty. All, except two, who were strangers, promised me they would abandon their bad practices ; they admitted that an oath could not be a bond of iniquity, and I was very glad to hear them say so. The two persons who infected the parish denied their misconduct ; all the others acknowledged everything. As I could have no hopes whatever of the conversion of the two strangers I allude to, I denounced them on the Sunday following in the chapel. I exhorted the people as strongly as I could against all such societies and such oaths ; I said they were detestable in the sight of God, and injurious to themselves in every point of

when carrying four Whiteboys to Kilkenny gaol, in which about thirty rioters and several soldiers were killed or wounded, in September, 1764, is mentioned in the Annual Register for that year, p. 100.

view. I did this in the three chapels belonging to the parish. The Protestants of the town, with Mr. Waller, the clergyman, sent a deputation to me to know in what manner I would receive an address from them; that they considered I was watching over the peace of the county so much, that I deserved some mark of their gratitude. I said I would decline it; that I felt very grateful for the disposition shown to me, but I wished rather to live a retiring life, except where my duty called for my exertions.

"Did your exertions produce a check to the progress of the conspiracy?—Yes, the parish remained very quiet; I was determined, by denouncing these persons, to intimidate others from coming to introduce any such system into the parish.

"Do you mean such persons as the two strangers?—Yes; one was from the county of Tipperary.

"Did they show any resentment towards you?—Yes; the man from the county of Tipperary threatened my life, and I kept out of the way some time; but I hope I would not shrink from my duty if I was to lose my life; if I considered it such I would not be stopped by threats."—H. C., 1825, Nos. 3167-71.

In the following case the system made its way into the parish, notwithstanding the priest's exertions.

Rev. J. Delaney :—

"At what period did those disturbances commence?—In the year 1827 a public building was undertaken in the parish [of Ballynakill, Queen's County], and to this building two rambling masons resorted; they came in from Mr. Cosby's estate; although not living there they were occasionally employed in that district; they came to this building, and after they were there ten or twelve days it reached me they were swearing in the people.

"What was the building?—Out-offices belonging to Mr. Cooper, who has an estate in the parish. On the succeeding Sunday I explained to the people the nature and evils of illegal combinations; I appealed to their own experience of the

horrors that resulted from like associations in 1798, and finally denounced the men by name, and thus succeeded in removing them from the parish; this was in the spring of 1827. It appeared that they infected a good many persons engaged in this building, for in a short time after that, a body of men from the colliery, as I am informed, assembled at this building, and paid a visit to one of the neighbouring farmers, forbidding him to dispossess some people under him; to be a good neighbour, meaning thereby that he should not refuse a free passage through his land to a neighbour who claimed it as a matter of right. When I heard this, I waited on the local magistrate, who apprised Mr. Foote, the chief of police, and I met them the following morning by appointment at the house so visited; the servants and work-people were examined, and I found it my duty to put some questions to them, which they declined answering until compelled by the magistrate. I think it was in the harvest of mowing, two men, one of them calling himself Captain Rock, paid a visit to Mr. Cooper's workmen, forbidding them to work under a certain rate of wages, and also requiring a better quality of food for the mowers; I apprised the magistrate of this also. We had the steward and workmen summoned; many of the respectable inhabitants of Ballynakill were present at their examinations. I put some very embarrassing questions to the steward, and upon both those occasions the people complained of my conduct, and said I outstepped my duty, and was rather officious. Those were the first two instances of insubordination that occurred in the parish over which I have presided for the last eight years; the persons concerned were not then known as Whitefeet or Blackfeet, but as members of the Ribbon Society.

"When did any further instances take place of this sort of proceeding?—We remained pretty quiet for a year and a half afterwards, but I had occasion frequently to appeal to the people not to be employing strangers; one of my chapels is in the neighbourhood of Timahoe, which at that period was very much disturbed, and I found that many of the people of that district resorted to my chapel to swear in the people; and I

had (almost every second Sunday that I go there in turn) to caution the farmers not to employ strangers, and was at length under the necessity of forbidding such characters to resort to my chapel. The spirit of combination spread through the surrounding collieries, Wolfe-hill, New-town, Clough, and that belonging to Lady Ormonde; and after a short time it got into my parish, and a great many outrages were committed in consequence."—H. C., 1825, Nos. 4345-7.

The following singular mode of communication among the peasantry (like the transmission of the cross described by Sir W. Scott in the *Lady of the Lake**) has been practised over a large part of Leinster and Munster during the last few years: it appears to have excited mixed sentiments of curiosity and alarm; and it is interesting, as showing the means adopted for practising on the minds of credulous, ignorant, and discontented people, though it does not appear ever to have been applied to Whiteboy purposes.

"Yesterday (says Sir Hussey Vivian) I received a report from Wicklow, Wexford, Carlow, Waterford, Cork, and Kildare, of quite a new proceeding, which has created a very great degree of alarm in the minds of the Protestants of those counties. It appears that strangers entered some of the towns on the 10th and 11th, in the middle of the night, either with pieces of lighted turf, parcels of powder, lighted sticks, or pieces of brown paper; those they gave to the Catholics, and told them they were charms against the cholera, or that some of the neighbouring towns had been destroyed by fire from heaven, and that they would be burned if they did not give the charm, in some instances, to four other Catholics, and those to whom it was given were to do the same to others, until the whole Catholic population had received the blessed turf: this set the whole population in motion; they were running in all direc-

* See Note 1 to Canto III.

tions without waiting to dress, and they appeared to be inspired with indescribable zeal in serving the stipulated number ; some had many miles to travel. This will be fully inquired into, but I despair of getting at the originators of the affair : my belief is, that the object was to ascertain in how short a time the Catholic population could receive a summons, for the purpose of intimidation regarding tithes. I have little doubt myself it had reference to tithes, and was an experiment in order to see how soon they could convey a communication, and how rapidly they could get large bodies together ; because wherever there is a sale of tithe cattle, the manner they meet it is to assemble large bodies to intimidate the people from buying, but not to commit any outrage.”—H. C., 1832, No. 1475.

Mr. John Edge :—

“ Were you in Ireland when the holy turf was sent about the country ?—I was.

“ Did you see any of it ?—Yes.

“ To what extent in your neighbourhood did the thing proceed ?—It went over the whole country, so far as I have learned ; not only the part of the country where I lived, but extended to distant counties.

“ Had you any conversation with the persons carrying it ?—I had.

“ Did it appear to you that they had any understanding of what they were about, beyond warning the people against the effects of cholera ?—I cannot tell what their understanding was.

“ Do you think there was any political motive ?—I do [not] think there was ; I believe it was merely endeavouring to try the machinery of some further plot, to see how far it would extend.

“ Do you conceive it was to put down the cholera ?—I conceive not.

“ Did it appear to you by that means that information could be very rapidly spread through the country ?—Yes, it did, inasmuch as I have seen telegraphs along the road on the hills as I have travelled to Dublin.

“ But those were not connected with the turf-runners ?—No,

but they were intended as means to convey rapid communication.

“ Were the telegraphs erected by the persons that have been disturbing the public peace?—I cannot say.

“ What effect had that holy turf on the minds of the people?—They appeared to be a good deal agitated; and I was told by a person I conceive to be very honest and candid, that there was a deeper view in it; and I was so alarmed myself that I spoke to the army in my house to request that they would be on the alert that night.

“ Was your informant a Roman Catholic?—Yes.

“ Had you any information from more than one?—No.

“ Had the turf been served upon that person that told you?—Yes.”—H. C., 1832, Nos. 2981-94.

Having thus shown who are the persons concerned in the Whiteboy system, and what are the means by which it is propagated, we now proceed to explain the manner in which it is worked; in other words, to set forth the process by which the Whiteboy code is carried into execution.

The first and most important step is to obtain possession of arms; inasmuch as without these the peasantry can only enforce their commands by the destruction of property: death, the strongest sanction, they are scarcely able to inflict. An unarmed multitude cannot hope to carry into effect an extensive system of intimidation.

“ The people, (said Mr. Justice Moore, on the Clare Special Commission, in 1831,) by seizing of arms and getting them into their possession, provide the great means of effecting almost all these wicked acts. A disposition to seize arms has been always the characteristic of offences similar to what have been committed in this county. Therefore, the legislature has visited with the highest penalties the crime of taking arms,

when the country is in a state of disturbance. Either the taking them, or procuring them to be delivered by threats, is a capital offence, and the mere demand, without getting them at all, is a transportable offence *."

The entering of houses and compelling people to give up their arms, or to swear that they have none, is carried on to a great extent at seasons of disturbance †. It is, however, remarkable that though the Whiteboys break into houses, and consequently have all the property contained in them at their command, they rarely take anything except arms.

"When a house is attacked and robbed of arms, (Colonel Johnson is asked,) do they ever take money?—I think latterly they have; in the first instance they certainly did not, but latterly they have assumed more the character of robbers than they formerly did."—H. C., 1832, No. 762.

The writer of these pages was informed by a clergyman of the Established Church, resident near Athy, that one Sunday, during his absence at church, some persons came to his house and asked for arms: they were led by his wife quite peaceably through the dining room, (where there were silver forks and spoons on the table,) to his study, where she opened a glass case, in which were his arms and a purse containing some money: they took away the arms, but touched nothing else ‡. It has been recently stated in the newspapers,

* Proceedings under a Special Commission in Limerick and Clare, in 1831, p. 76.

† An attack on a body of police for the sake of their arms was mentioned above, p. 137. An intended attack on a yeomanry corps, near Limerick, for the same purpose, is described by Major Warburton.—H. C., 1824, p. 138.

‡ The following is an instance of the same proceeding in the recent history of Spain.

"The formation of the Grand Permanent Council was the first great

that the Dublin and Cork Mail was stopped in the night near Cashel, by a large body of men, who demanded the guard's arms, which were surrendered to them; but they did not attempt to rob the coach. Conduct of this kind clearly evinces the feeling of the Whiteboys, that they are the administrators of a general system, meant for the benefit of a *body*, and by which *individuals* are not to be allowed to profit. When Wat Tyler's followers set the Savoy Palace on fire, we are told that an individual who took the opportunity of stealing a silver vessel was thrown by the populace into the flames*. There is a conservative feeling even in combinations to resist the law; the persons concerned have a limited purpose in view, and do not seek for indiscriminate plunder: they desire not a general sack, but a new tenure of property: they wish to substitute *one* government for *another*, but not to produce *anarchy*. They are therefore conscious that if each man begins to rob for himself, and abandons the common cause, they themselves may fall a prey in the universal scramble.

Where there is so much intimidation, and so much

step of the Carlists to secure an authority independent as far as possible of the king. While risings took place in various parts of the kingdom, with the avowed object of raising Don Carlos to the throne, inasmuch as Ferdinand was too moderate for a king; and the singular conduct of many bands of brigands, who took only arms, accoutrements, and horses from those they plundered, distinctly declared the ulterior views of his partisans, the Infante distinguished himself in the Council by thwarting the milder propositions of the king."—Cochrane's Foreign Quart. Rev., vol. i. p. 214.

* The words of Knyghton, who has preserved this anecdote, are remarkable. "Unus autem illorum nefandorum sumpsit unam pulcram peciam argenteam, in gremioque abscondit: quod videns alius et sociis referens, ipsum cum pecia in ignem projecerunt, dicentes: *Zelatores veritatis et justitiæ, non fures aut latrones*."—Twysden, X. Scriptores, col. 2635.

real ground for fear as in Ireland, it is natural that there should be many alarmists; and accordingly it has been sometimes said that the Irish peasantry are armed and organized, and ready to fall into their places when called out by their leaders. It appears, however, from the concurrent evidence of all the best informed witnesses, that the number of arms which they possess is in fact small, and that these are for the most part in bad order, on account of the dampness of the places in which they are usually concealed.

Major Willcocks:—

“To what extent are the disturbers in the counties under your superintendence possessed of fire-arms?—I do not think there is by any means the quantity of fire-arms in their possession now that there was three or four years ago. I think that they are now more armed for plunder than for outrage.

“What is the quantity now in their possession?—There is no great quantity of arms in the possession of insurgents in my district, as I believe.”—H. C., 1824, p. 123.

Major Warburton:—

“Do you think that the population in those districts (Clare and Limerick) are extensively armed now?—Indeed I think any arms they have had they have still; but I never considered the arms they have as very formidable.”—H. C., 1824, p. 166.

W. W. Becher, Esq., M.P., resident in the county of Cork:—

“In the district to which you allude, (north of the county of Cork,) was there at any time, to your knowledge, a very considerable number of arms in the possession of the peasantry?—I do not know that there was a very considerable number of arms in the possession of the peasantry near me; we are apt, I think, to exaggerate upon that point; a great number of arms have been taken, but those arms were in the first in-

stance removed from the neighbourhood to remote places; and a great many have been given up. I am quite sure that the majority of those that have not been given up, have been kept so badly, that they are become decayed and good for nothing. Many people say when they get arms, there is no sincerity in the surrender; they give us up nothing but old arms, and good for nothing; but in my opinion they had very few good arms to give; I speak, however, only of my own neighbourhood, and with some exceptions even there.

"Will you describe to the Committee, how the insurgents keep the arms which they have?—In general they hide them in holes, and hedges and ditches; I have gone out in a night and found some of their arms stuck in ferns and bushes, and covered with rust.

"From the state of their houses, do you think it possible for them to keep arms in their possession, without their becoming unserviceable?—If they could keep them in their houses, I think they might continue serviceable for some time, but they are afraid of that. I have known of instances where they have had them in holes in the wall, and in the thatch very frequently; but if they could get them stuck into the wall, they could keep them for some time."—H. C., 1824, p. 182.

Mr. Newenham (who expresses an opinion that the peasantry of the county of Cork are well provided with arms) gives an account of a search for arms near Lis-carrol, made in company with Sir Hugh Gough, who commanded the troops in the district.

"At night we went to that part of the country which the man had mentioned, where we took up, as well as I recollect, fourteen or fifteen men, against whom informations were sworn. Sir Hugh Gough had frequently examined the houses, as all the other magistrates had done in that part of the country, and had had no very great success in the taking of arms. He asked this man whether he could point out the places where the arms had been; the man said that he could. He stated

that the arms were never kept in the houses, but were always concealed in various parts of the fields. We rode to some little distance, where there was a division, I cannot call it a hedge, but where the ground was a little rising as if there had been an old fort, or something of that kind, and some furze and bushes growing about it. He desired one of us to pull up a furze bush, which was done; I told him that I saw nothing there; he said, 'Pull away that sod of grass,' and there was a box, the open end of which was opposite to me. The approver had previously told me that the night before he was put into the place of confinement at Charleville, the box had contained, I think he said, ten stand of arms; this was perfectly in a dry place, sand and dry earth having been placed about it, so that the arms should not be injured by the damp. He told me that the arms were placed there every morning, after they had done what was necessary, and whenever they wanted them at night, they came for them; but he told Sir Hugh Gough and myself, previously to coming to the place, that probably we should not find the arms there, for it was a rule with them that when one of them was taken up to remove the arms.

"What quantity did you find there?—None.

"Have you ever discovered any arms in searching the houses of the peasantry?—Yes, I have, in my own part of the country.

"In what state were those arms, and what means have the peasantry taken to insure their preservation?—In a part some little distance from my own place, where it was necessary to search for arms, the generality of those taken were bad."—H. C., 1824, p. 304.

Sir Hussey Vivian, after having described an extensive search for arms made by the military in 1832, in parts of Carlow, Kildare, Kilkenny, King's and Queen's Counties, in which about 137 stand of arms (common fowling-pieces, blunderbusses, and pistols) were taken, is examined as follows:—

" Were the arms so decidedly of the character of those plundered from private houses, as to satisfy you there was no general plan to provide themselves with arms?—My firm conviction is, that the people of Ireland are not armed to any extent whatever; and I state it for these reasons: here is the number of arms reported to have been taken from different houses during the last twelve months, and that number is very small indeed; I think, altogether, 145 stand of arms; and in different searches we have taken nearly 200, which leaves a balance in our favour, and we know to a certainty that the arms taken by those men who rob them, although at the time in the best order, when retaken have been found totally useless, and in many instances such has been the state of fowling-pieces within two or three months even: in order to conceal them, they hide them in bogs and ditches, and in the thatch of houses. In the search, there were two weapons they called pikes taken, but I am certain there have been none made, nor any attempt to arm the population; nor is it possible the people should be armed to any extent in a country where arms are only allowed to be imported by licence, and in every village of which almost there is a police party, if the officers of customs and the police do their duty. I believe these people (the nightly robbers) have been anxious to get arms for themselves to go about on their marauding system, but on that account only. I do not believe that any general system of arming an organized body of the people has been thought of; although that a system of organization in every other respect exists to the greatest possible extent, I have no doubt whatever."—H. C., 1832, No. 1372.

Mr. Singleton, speaking of the colliery district in the Queen's County:—

" Do you think they have possession of any arms?—Yes, numerous stands of the worst description; blunderbusses of a most destructive and formidable kind.

" Are those arms independent of the arms taken from persons residing in the country?—I presume those have been

taken from respectable houses in the country."—H. L., 1824, Nos. 4050-51.

Mr. Keogh, the parish priest of Abbeyleix, having stated that he had delivered eight stand of arms to Lord De Vesci, is asked,—

"Were they in a serviceable state?—No, they were not; they were of no use whatever.

"None of them?—None, except a pistol, which was in very good order.

"Are there many arms in the hands of the common people now?—I do not think there are.

"Were they arms that could be traced to the persons that they had been taken from?—Yes; I knew the houses they had been taken from.

"What distance of time was there from the taking of the arms to their being returned to you?—The first arms were taken more than a year before, and the last not more than a month.

"Were they in good order when they were first taken?—No, I believe not."—H. C., 1832, Nos. 4627-32*.

The strict regulations with regard to the sale of gunpowder in Ireland†, likewise make it difficult for the Whiteboys to use their fire-arms even when they have got them. It not unfrequently happens that their guns or pistols are loaded with the coarse powder used in blasting rocks, and that accordingly they miss fire. The most effective weapon which they use in waylaying persons doomed to destruction is *stones*, with which they take a deadly aim, and which are considered as

* In 1775 a body of Whiteboys, said to be 200 in number, attacked a house in Ballyragget, in which were fifteen armed men; and they were repulsed, with considerable loss. "It should however be observed (says Arthur Young) that they had but few arms, those in bad order, and no cartridges." *Tour in Ireland*, p. 77, 4to., and see above, p. 32.

† See 4 and 5 Will. IV. c. 50.

preferable to fire-arms, because they make no noise, and consequently give no alarm. For attacking houses, however, guns are necessary; they are likewise often discharged at night, in order simply to intimidate: bonfires are sometimes also lighted on heights for the same purpose.

It may be remarked that the surrender of arms by the peasantry is one of the first and surest signs of returning tranquillity.

Mr. John Cahill, Queen's County:—

“This state of your county must have been very injurious to property in general?—It was; but now peace is returned, and tranquillity is restored everywhere, so far as about twenty miles round.

“Do you think that is likely to last?—I should think it is. All the arms have been collected; the clergyman of my parish collected one hundred and ten stand of arms; I saw sixty stand of arms myself going over to the officer commanding a division of troops within a mile of me.

“Within what period of time?—Something about between three weeks or a month past; I saw them going to be delivered up to the officer.

“Were they serviceable arms?—They were guns.

“Were they serviceable?—They were.

“Were they all of them good?—Pretty good; some bad arms; a good many blunderbusses, a good many pistols, and a good many carbines; and among the rest was a clergyman's arms, by the name of Trench.

“Do you attribute that at all to the special commission, or to the interference of the clergy?—I should think to the interference of the clergy. Doctor Doyle went through the collieries, preached there different days, and the clergymen have all exerted themselves much within the last five or six weeks. The people have declined going on legislating, as they generally have done, and have returned to their industry. I find

that a great many labourers, whom I was in the habit of employing, are cheerfully coming round to me now, whom I could not get last winter."—H. C., 1832, Nos. 7516-22.

When the Whiteboys have possessed themselves of the means of enforcing their law, they proceed to administer it in form. This is effected by serving a written notice on the party who has infringed it, commanding him to do, or forbear from, some specified act. Mr. Despard, being asked in what way the Whiteboys make themselves formidable, so as to enforce their schemes, says,—

"They generally first serve the person who has land that they do not wish him to have, with a notice pasted on his door, or put in through his window, and if the person does not comply with what is in that notice, they then come, in a short time afterwards, and beat him, and sometimes there are murders committed. I have known murders take place in consequence of not obeying their orders."—H. C., 1832, No. 401.

Rev. Nicholas O'Connor :—

"Do they endeavour by force and by intimidation to obtain what they wish to have done?—They generally first serve a notice, and if that is not obeyed, violence follows; this notice is accompanied generally with a picture of a coffin, or some emblem of death, and they write, that if they do not do what they require within a certain time, to prepare their coffin.

"Are not the punishments they inflict in case of disobedience to their orders of the greatest atrocity, assassination, &c.?—Yes; generally beating, which sometimes ends in death."—H. C., 1832, Nos. 3194-6.

These mandates are often written in a style resembling that of a legal notice*, and are, for the most part, signed by some imaginary name, such as Captain

* See above, p. 102.

Right, Captain Rock, Captain Starlight, Captain Dreadnought, Lady Clare; under which appellations (like Jacques Bonhomme, adopted by the French peasantry) the Irish Whiteboys are considered to be impersonated*. The following are some examples of these notices, many of which contain an expression of the feeling, that the individual is brought under the operation of a *general* law, and that his disobedience will be punished as an example to *others* :—

“Mr. Luke, you are to take notice to resign your holding that you have lately possessed, and to do as usual, or if not, by the contents of this, I will finish your existence. Dated this 29th day of December.”

“James Redmond, you are hereby to take notice, that the proceedings you are going to take against your neighbours are directly opposite to the regulations and laws of Mr. John M^rRobinson, Captain Killproctor Rontmaster, who intends that all lands out of lease shall remain three years on the head landlord's hands, or be given to the former tenant. These are, therefore, to let you know, that if you do not stop your career, you shall undergo the scene of being consumed to ashes, with all your family, as an example of future punishment to you and all others concerned.”—H. L., 1824. p. 102.

“Take Notice,

“From this day forward, that no man will be allowed to work in any boat without having regular wages, 10s. per week. Any person or persons daring to violate this notice, will be visited by night by those people under the denomination of Whitefeet,

* Some of the letters and incentives to revolt circulated by the insurgents in Wat Tyler's rebellion were signed by Jack Milner, Jack Carter, Jack Trueman, which, Lingard observes, were probably feigned names. Vol. iv. p. 239, *note*. *Swing*, the name adopted by the poor-law incendiaries in the south of England a few years ago, is a fictitious name of the same kind.

or Terry Alts. Any man putting us to the necessity of paying him a visit will be sorry: therefore any man who has not the above wages, let him not to attempt to leave Athy.

"I remain your humble servant,

"Terry Alt*."

"County of Kildare, } Take notice, That we will no longer
to wit. } bear the oppression of paying *double rent* to farmers for land, and the gentlemen so favourable to the poor. Therefore all farmers will be obliged to return their under-tenants to the head landlord, at the same rates and acre for which they hold the land themselves. And we trust the gentlemen will not allow them any longer to tyrannize over the poor of this impoverished nation. Any farmer demanding rent from his under-tenants, or any under-tenants paying rent to the farmers, either party so *violating this notice* shall be used with the utmost severity imaginable, and *We* their cause for-sake in every measure.

"So I remain your most humble servant,

"A son to that poor old woman called,

"Terry's Mother †."

"Remarke the consequence Thomas Wardren dant pay the tithe far if you do you may prepare your coffin you may be assured that you will loose your life either at hame or abraad.

"Captain Rock‡."

"No Tithes

"No Tithes

"No Tithes."



"Notice.

"Take notice, John Kelly, you are hereby required to quit and depart out of the townland of Killmokulla; where you are

* H. C., 1832, Appendix, p. 10.

† H. C., 1832, Appendix, p. 9. This notice was in print in different parts of the county of Kildare.

‡ First Commons Report on Tithes in Ireland, p. 23.

reside, on the pain of death, at the expiration of eight days from this date; observe, unless you comply, that neither interest, police, or any other sect, shall or will be able to protect you from the punishment I will inflict; that is to say, immediate death.

“Signed at Consideration Hall, in the
county of Heaven,

“The Honourable Lady Clare*.

“Dated this 6th day of December, 1831.”

“Denis Flynn, this is to let you know, if you do not give peaceable possession in this house on the fourth day of March next, you will put me to the trouble of coming a long journey † to execute the desine according to the custom of the contry. Otherwise pay regular and lawful rent for the said house as may be agreed upon, if not, mark the consequence, for I swear vehemently, if you do not comply with this advice, that I shall and will ‡ use the severest means that ever was used with any man.

“I am your friend,

“Captain Starlight, &c. &c.”

“John Ronyn, Take Warnen by this to quit, Not to loose your time improoving, for as shure as you do, death will be your doome. Let me see that you quit before the first day of January next, or else if you dont, Captain Rock and his men will visit you.”

[At the foot of this notice is a rude drawing of a gun pointed at a man, and a ball issuing from it.]

* First Commons Report on Tithes in Ireland, p. 212.

† This alludes to the practice of sending for persons from a distance to commit a crime.

‡ This is a very ludicrous instance of an attempt to imitate the profane style of legal instruments.

" March the 23rd, 1834.

" Mr. Nail, take notice. If you dont banish your baker, mark the consequence. And if you give me the trouble of noticing you any more, you and he may quit the town. So now do as you choose.

" Captain Fear not *."



If a person who receives a notice of this kind disobeys the order contained in it, the executors of the Whiteboy law then proceed to take measures for striking him. In many cases, however, this preliminary form of notice is dispensed with, and the Whiteboy regulations are presumed to be known, and therefore held to be binding, without any special command.

It may, moreover, be observed that the Whiteboys have very retentive memories ; that their *odia in longum recondita*, their ancient spites, are sometimes felt when their victims had for years lived in a false security. There seems to be no statute of limitation against Whiteboy vengeance ; no prescription seems to give a title where the party has taken land in contravention of the Whiteboy rules ; and people are sometimes almost unable to find a motive for the punishment inflicted on them, so completely had the ground of complaint passed from their minds.

In order to increase the difficulty of detection, the parties who actually commit the crime are often sent for from a distance of five, ten, or twenty miles ;

* For the three last notices, which were stuck up in Roscrea, or its neighbourhood, the author is indebted to the chief constable of police in that town.

and the persons interested in the transaction take no direct part in it.

"In Cork (says Mr. Blacker, speaking of 1823), there seemed to be a regular system of communication among those different bodies of persons, and an arrangement appeared after to have been made, that when outrages were going to be committed, one body of men should send a detachment to achieve the object to a distant part of the county, where, being strangers, detection should not be so easy*."

Mr. Price, speaking of a Whiteboy outrage committed in Ossory†, says of the persons concerned in it,—

"They were brought from a distance, and had no possible personal interest with the transaction; they did not live in the neighbourhood; they had not taken any quarter-ground‡; they came to do the job for Wall; the persons who attacked the house never saw Mara, and could have no interest in cheapening the quarter-ground or injuring Mara. . . They were Whitefeet, sent for, and I suppose bound by an oath to go a certain distance on being summoned by a brother§."

"By what means (the Rev. Mr. O'Connor is asked) do they carry forward this system of interfering and regulating what they conceive to be their own interest as to land, wages and other matters?—I do not know of any other way (he answers) than that persons near the place do not appear in

* H. C., 1824, p. 47.

† See the particulars of it above, p. 150-2.

‡ *Quarter-ground* is the same as what is called *conacre* in other parts of Ireland. It is so named from being let in quarters of an acre. *Con-acre* is a corruption of *corn-acre*; land having, it would seem, been formerly let in Ireland for corn, as it is now let for potatoes. A system exactly similar to the Irish *conacre* prevails in the southern and south-western counties of England. See the Poor-Law Report, pp. 181, 183, 189, 8vo. ed. It also prevails in France, according to M. Chateaubieux, there cited.

§ H. C., 1832, Nos. 6682-3. As to the obligation to go a distance to a brother, see the Whitefoot's oath, above, p. 166-7.

those outrages; they generally send a communication to some five or six or ten miles off, and they come in a body to effect their purpose."—H. C., 1832, No. 3193.

The persons who commit these crimes do not, like the bandits of Italy, or the London thieves, follow crime as a profession: they are merely called out by their brethren for the occasion, and when their task has been done, they resume their ordinary habits of life.

"Do you believe (Mr. Barrington is asked) that when men have so committed themselves in violation of the public peace, that it is almost impossible for them to recede, and they are obliged to keep that up in their own defence because they are not re-admissible into society?—I do not find that exactly (he answers); for very soon after disturbances have ceased, in which some of these men have been deeply engaged (where they have not been concerned in murder) they have become quiet and peaceable, and have returned to their former occupations*."

The crimes committed by the Whiteboys as a punishment for the violation of their commands, may be reduced to three heads:—1. Death; 2. Corporal infliction; 3. Destruction of property. With regard to *homicides* committed by the Whiteboys, there is nothing remarkable in them, except that they have been sometimes accompanied with circumstances of great cruelty. The murder of the Sheas, when a house was set on fire, and the persons who attempted to escape were caught on pitchforks†, affords an instance. They have likewise been sometimes committed in the face of day, and in the presence of large numbers of people, who were approving spectators of the act. As to *bodily in-*

* H. C., 1832, No. 31.

† A similar instance of cruelty among the Scottish borderers is recorded in the ballad of Edom of Gordon, in Percy's Reliques.

fliction, severe beatings are very common; mutilation is also sometimes practised. The horrible practice of *carding*, above described*, has now been disused; so that even the Whiteboys have followed the stream of opinion in softening the rigour of their punishments. The usual modes of *destroying property* are, the burning of houses and haggards, and the houghing of cattle. In some cases, the ears and tails of horses, and the teats of cows are cut off; sheep are likewise shorn and mangled in a barbarous manner, not for the sake of the wool, but in order to spoil the sheep. Windows are likewise often broken, and other property in and about houses damaged or burnt. Other modes of inflicting pain are occasionally resorted to; such, for example, as the ravishing of women in order to wreak vengeance on their husbands or fathers. A short and easy mode of arriving at a desired end is the *turning up of grass land*, sometimes practised by the Whiteboys. By these means, the farmers are compelled to let their ground for setting potatoes, without the long and troublesome process of notices, burnings, beatings, and murders. This method was practised to a great extent by the Terry Alts in the last disturbances in Limerick and Clare; bodies of several hundred or even several thousand men with spades used to assemble, sometimes in the day-time, and turn up a meadow in a few hours.

The following general view of this part of the

* P. 146, and see p. 107. I see, however, from a paragraph in the Fermanagh Reporter, recently copied in the London newspapers, that, during this winter, a large party of Whiteboys visited a man in the county of Leitrim, and "with a hollybush (a new substitute for the card) lacerated and punctured his back and shoulders in a most shocking manner, and otherwise beat and battered him."

Whiteboy system is given by Chief Justice Bushe on the Maryborough Commission :—

“ Illegal oaths are administered by them, often by compulsion, to unhappy wretches who attribute to them an obligation which they deny to more legitimate engagements. Vengeance is denounced against all who refuse to join those associations, or resist their mandates, or give information of their crimes; by these means they become numerous, and the incessant and indefatigable plunder of arms from all descriptions of loyal and peaceable subjects soon renders them formidable. The destruction of property follows, houses and barns and granaries are levelled, crops are laid waste, pasture lands are ploughed, plantations are torn up, meadows are thrown open to cattle, cattle are maimed, tortured, killed. Those persons who incur their displeasure are visited by parties of banditti who inflict cruel torture on their persons, mutilate their limbs, or beat them almost to death. Men are deliberately assassinated in the open day, who have in any way become obnoxious to the insurgents, or opposed their system, or refused to participate in their outrages, and sometimes the unoffending members of a family are indiscriminately murdered by burning the habitation of one devoted victim.”—(p. 5.)

In certain parts of Ireland the Whiteboy code is constantly in operation, and if any man either from rashness or necessity from time to time dares to violate it, he is immediately made to suffer either in person or property, and his example is sufficient to prevent a repetition of the offence. At certain intervals, however, from accidental circumstances, the spirit of the people is roused by some oppression, or they are excited by some trifling occurrence, and the ordinary state of (what may be termed) intermitting Whiteboyism is aggravated into a rapid succession of outrages, almost bordering on insurrection. The state

of the country, when thus generally disturbed, is described by many witnesses.

"At that time, (says Mr. Blacker, of the north of the county of Cork,) every species of crime was committed; murders, robberies, burnings of houses, houghing of cattle, serving of threatening notices, severely beating obnoxious persons, every species of crime that could disgrace a country; fires seen at night, conflagrations of houses, five, six, seven, eight, and nine, in different parts of the country, and the gentlemen's houses barricadoed *." "There had been some houses burnt, (says Mr. Bennett, of another district,) some persons flogged, some stacks of corn and turf had been burnt; and I found the people in the county, the gentlemen and the farming class of the better description, in a state of very great alarm †." "The county of Limerick, in 1821, (says Major Willcocks,) was very much disturbed, and numbers of murders committed, several places burnt and destroyed, and several persons beaten, and cattle destroyed and houghed, houses attacked and arms taken ‡."

Of the county of Clare, when under the Insurrection Act, Major Warburton says:—

"There were a great number of burnings, both of houses, haggards, and cattle; threatening notices were served; and a variety of other outrages, such as houghing cattle and sheep §."

Mr. Becher, describing the north-western part of the county of Cork, in 1821, says:—

"It was exceedingly disturbed; the common people were in the habit of going out at night administering illegal oaths, attacking houses for the purpose of getting arms, and in short executing whatever their wishes or inclinations were. There was a general difficulty in obtaining rents from them, and altogether the state of the country was what might be called a state of insurrection ||."

* H. L., 1824, p. 15.

† H. C., 1824, p. 81.

‡ H. C., 1824, p. 96.

§ H. L., 1824, p. 77.

|| H. L., 1824, p. 133.

He is further examined as follows :—

“ Was not every gentleman, indiscriminately, in that country, whether a humane landlord, or the contrary, obliged to barricade his house?—Yes, all; but notices were given to some, that they need not do it.

“ Do you think they could have trusted to those notices?—Certainly not.

“ How long did that state of barricado last?—I am not so accurate as to dates, as to be able to answer that question correctly; but I think it was in the year 1821. I was attending my duty in Parliament here, and on my way home, in Dublin, I got a letter from my brother, stating that the country was in that state. I made as much haste as I could to get down, and arrived the day after the battle of Newmarket, as they call it, had taken place; and for the remainder of that winter, we were in the habit of hearing of horsemen galloping on the roads round the domain. In short, the people had the country in their possession at night; by day, they were kind enough to leave it to us. We frequently observed signal fires thrown up at night; and there was every symptom of an approaching insurrection. I inquired among the common people, for information as to the nature and object of their proceedings; but I was generally told it was a subject not to be talked of without danger of fatal consequences. This state lasted, I think, for the rest of the winter; then the Insurrection Act began to operate a little in checking it, because it kept them at home. I do not think it operated effectually for some time, but at length it began to check it; and now I think, they are feeling the effect of the restraints imposed upon them, and the country has certainly become quieter.

“ Was it necessary to barricade by day-time?—Yes, it was, during that time; and in fact, several arms have been taken since that, in the day-time.”—H. L., 1824, p. 141.

The following report of a month's crimes, in a district of the King's County in 1834, will give a more

precise idea of the ordinary state of a disturbed country, without any very atrocious crimes :—

“ Garrycastle District, Lieutenant William Henderson, Chief Constable.

“ Extracts from Chief Constable’s Report.

“ 1 March.—An armed party entered the house of John Low, of Macken, within two miles of the post-town of Ferbane, swore him if he had fire-arms in the house, and searched it, but got none; on their departure they fired a shot.

“ A party of six armed men entered the house of James Connor, within one mile and a half of Cloghan town, and ordered him to give up the arms he had in his possession; they searched the house, but got none.

“ The same party went to the house of Matthew Killan, of same place, and ordered him to give up land in his possession.

“ 7 March.—The house of P. Donahoe, of Baleitha, within one mile of Banagher, was attacked by a party of men, who beat him, and stabbed his wife with a bayonet, broke all his delf, and swore him to give up his land. Perpetrators unknown.

“ Same night the house of Thomas Donahoe, of Clairmount, was attacked by a party of men, who stabbed Donahoe with a bayonet, beat his wife, broke all his windows and delf, and swore him to give up his land.

“ 9 March.—An armed party went to the house of Mr. Baker, of Bellmount, about one o’clock, while the family were at Divine service; they knocked at the hall-door, and being refused admittance, and resisted by the steward, who fired on them, they fired through one-of the windows, broke seven or eight panes of glass, and lodged several slugs in the ceiling of the room. Perpetrators unknown.

“ An armed party went to the house of Michael Merrigan, near Shannon-bridge, put him on his knees, and swore him to leave his house in seven days.

“ 10 March.—On this night an armed party went through

the neighbourhood of Bellmount, firing several shots. They went to Mr. Baker's gate-house, and inquired for the steward, apparently for the purpose of shooting him, but they did not find him. This steward defended Mr. Baker's house on the 9th, when it was attacked.

" 12 March.—The houses of Thomas and Hugh Donelan, of Park, near Banagher, were attacked by a party of men, who swore them to give up that land, and robbed Hugh of 7*l.* in cash.

" Three men, armed with pistols, went to the house of Matthew Hunt, of Cloney, near Banagher. They swore him to give up his land in a week's time, and to give up his house to a man named Galvin.

" 17 March.—The house of William Doyly, of Toudmore, within two miles of Banagher, was entered by a large party, for the purpose of beating Doyly. Four men are apprehended, who have entered bail to stand their trial at the next quarter-sessions of Birr.

" The house of S. Toaker, of Gurtagown, was maliciously set on fire. Perpetrators unknown.

" 20 March.—An armed party of six men came to the house of Michael Butler, of Cloononey, within one mile and a half of Cloghan, and swore him to give up his house and land.

" A threatening notice was posted outside the town of Cloghan, warning the labourers not to work for any person for less than 1*s.* a day.

" 23 March.—A house, the property of John Carnevan, of Gloster, near Banagher, was maliciously set on fire.

" 25 March.—One man broke into the house of John Rourke, of Cloughail, and warned him not to sow any more for J. Devery.

" The same night a party of men went to the house of John Kilcoe, same place, and warned him to the like effect.

" 30 March.—At six o'clock this morning the house of John Hinchy, who resides at Newtown, about three miles from Banagher, was entered by two armed men, who desired him to go to the priest, and settle about land he (Hinchy) had in dis-

pute with his brother. Two more remained at his door as a watch."—Papers relating to the State of Ireland, 1834, pp. 28, 29.

With reference to the facility of committing the Whiteboy crimes, Mr. Blacker says—

"The most usual crimes are burning houses, houghing cattle, and sending threatening notices. Now the misfortune is, that all those crimes are easily committed without detection; the party runs out at night with a coal in a kettle; it is not visible; he puts it into the thatch, and runs away again; so in like manner with houghing cattle and with threatening notices. If there was every disposition on the part of the people, it would be very difficult to prevent those crimes; it would be impossible almost to prevent them; and there are other descriptions of crimes which are capable of detection at the time, such as murder and robbery, and carrying off a distress, flogging and punishing people who are obnoxious to them: all these are offences which are not in their nature secret; but unfortunately, from the state of the country, fear prevents the possibility of that detection; persons are afraid to give information when they do see persons engaged in any of those last-mentioned acts of violence."—H. C., 1824, p. 80.

When a country is in the state just described, terror reigns everywhere: the upper classes fortify their houses, and rarely go abroad except with arms; the farmers, and a large part of the poorer classes, unable to protect themselves, except by submission, live in a state of continual apprehension. The following statements will serve to give some idea of this miserable state of insecurity.

Mr. Blacker.

"Have not the gentry of the country suffered much in consequence, by being obliged to remain in-doors after dark?—Certainly; some gentlemen's houses are dark all day almost;

all the houses were barricadoed in some part of the house; the barricadoes being necessarily of a heavy description, it is inconvenient to move them; in some houses, they had but one sitting-room in the house where the light was admissible at all in the day-time, and not all the windows even of that room; the barricadoes, which were bullet-proof, were of course of a considerable thickness.

"Have you known any instances, in the county of Cork, of gentlemen having their houses so barricadoed, and also feeling it necessary to have sentries upon their premises in the day-time?—Yes."—H. C., 1824, p. 75.

Mr. Griffith :—

"Will you describe the general state of the habitations of the middle gentry of that district, with respect to precaution?—The whole of the lower windows of the houses were nearly built up with stone and lime mortar.

"How were the doors secured?—Bolted with very large wooden bolts.

"The Catholic, as well as Protestant?—Just the same.

"Throughout that district?—Yes; particularly that part of the country situated between Mallow and Limerick."—H. C., 1824, p. 232.

Mr. Blacker, in reference to the county of Tipperary in 1822 :—

"Was there at that time, amongst the higher and middling classes, a general apprehension of danger?—Very great, particularly in the parts bordering on the county of Limerick.

"Did this apprehension appear to you to be well founded?—Certainly; I found some of the gentlemen's houses barricadoed, and guards about them during the night, and the greater part of the day; fire-arms in the bed room of every person, and even upon the side-table at breakfast and dinner-time."—H. L., 1824, p. 14.

After what has been said, it is only necessary to state simply, that these crimes are all committed solely

for the purpose of giving pain; that they are meant to be the sanction of a code of unwritten law set by the class of cottiers and agricultural labourers. The following statements of Mr. Justin M'Carty, of the county of Cork, explain this in a few words.

"Were the houses or haggards of many persons of that description attacked during the disturbances?—There were a great many in different parts of the country, and several in that district to which I immediately belong.

"What was the alleged cause of attack in those cases?—Their not complying with the orders of the disturbers of the country.

"Of what nature were those orders?—They were of different descriptions: ordering them not to take ground, or to give up ground they possessed; ordering them not to turn out labourers, according as it suited, in fact, the individual fancy or the peculiar feeling of the individual."—H. L., 1824, p. 207.

In this respect the Whiteboy outrages differ essentially from ordinary crimes. The object of a common thief is to abstract property, not only without giving pain, but even without attracting notice. He wishes to profit without running the risk of detection; and if the party plundered, not only does not feel, but is not even conscious of his loss, so much the better is it for the thief. The Whiteboy, on the other hand, in most cases reaps no individual gain; and his direct and only purpose (except when he takes arms) is to inflict pain on the party attacked, either in his person or through his property.

Another characteristic of Whiteboy offences is, that they are specially directed against the *individual* who is the subject of them; an ordinary theft is directed against a man's property, not against himself; whereas a Whiteboy destroys property solely in order to injure

the proprietor. In the former case the injury to the individual is incidental; in the other it is the sole object of the crime. Even a robber who uses violence to effect his purpose, or a burglar who kills a man in order to prevent him giving alarm, has no ill-will against the individual: he would much prefer obtaining the property without being forced to use threats or destroy life.

The condition of the Irish peasantry is quite unlike a state of society in which thieving is not thought ill of; such as that which prevailed among the ancient Greeks, and in some barbarous nations on the confines of Greece in the time of Thucydides *; among the Arabs of the Desert, and among the Borderers of England and Scotland. The latter were a set of outlaws, who formed almost a separate community of freebooters, were subject to a peculiar jurisdiction appointed to control them, practised no regular industry, and depended on plunder for their subsistence. Their hand was against every man, and every man's hand was against them. Hence, when caught, their doom, as Walter Scott says, was sharp and short †; they were hanged on the next tree, or drowned in the next water. Nevertheless, they made it a rule not to provoke more hostility than was absolutely necessary for their purpose; and hence they were extremely careful not to shed blood, while they laid violent hands on every kind of property which they could carry off ‡. The White-

* I. 5.

† Border Antiquities, in his *Prose Works*, vol. vii. p. 109.

‡ "But I return to our Dalesmen or Borderers, in whom, though some things are to be noticed to their dispraise, yet there are others to be greatly admired; for most of them, when determined upon seeking their supply

boys, on the other hand, are not distinguishable from the rest of the community ; their object, like that of the secret tribunals of Westphalia, is to strike in secret, but with effect ; they do not seek plunder in the individual case, but to enforce a law for the general advantage of the poor ; consequently, if they meddle with property, it is to destroy it, in order to inflict pain and to give an example to others, not to take it for themselves ; and if this is not sufficient, they kill without mercy. And so far are they from relying on plunder for a livelihood, that their violences are committed in order to perpetuate a state of things, in which they shall be able to live by regular industry.

When the Whiteboy system is in such a state of activity as has been just described, the intimidation is complete ; a general terror pervades all classes ; and it is less dangerous to disobey the law of the state than the law of the insurgent.

Mr. James Lawler, resident in Kerry.

" You have stated that the people do not feel the protection of the law ; will you be good enough to state to the Committee what their feelings and notions are with regard to the law ?—When they see that persons, notorious instigators, and persons who terrify them publicly ; when they see them come among them again, freed from all responsibility of law, they exclaim, What are they to do ?

" That is, you mean by instigators, the persons who have from the plunder of the neighbouring districts, use the greatest possible precaution not to shed the blood of those that oppose them ; for they have a persuasion that all property is common by the law of nature, and is therefore liable to be appropriated by them in their necessity, but that murder and other injuries are prohibited by the divine law."—*Leslæus de Origine, Moribus et Rebus gestis Scotorum*, cited by W. Scott. *Essay on Border Antiquities*, App. ii. *Prose Works*, vol. vii. p. 146.

been the leaders of the disturbances?—Persons who have been the subordinate and atrocious leaders of the disturbances.

“Then the want of protection that the people feel, is protection against the persons concerned in outrage?—Against outrage.

“Have those people obtained a considerable degree of influence by their system of terror?—No doubt of it; the system of terror is most dreadful.

“Then the industrious poor people suffer equally with the upper orders from those disturbances?—They are the persons who suffer most, both in their feelings and their property, and their lives and their persons.”—H. C., 1824, p. 442.

The O’Conor Don is asked, with reference to the proceedings of the Whiteboys in the county of Roscommon in 1831 :—

“Was their violence attended with any success; did they carry their point?—Yes, for some time; the landlords were obliged to promise to reduce their rents, and to submit to their dictation. No man dared to work for a landlord who would not comply with their orders. They were fearless of apprehension. They went even to a magistrate at twelve o’clock on a Sunday, and requested him to reduce his con-acre rent, and he felt obliged to agree to do so.”—H. C., 1832, No. 298.

“That the ordinary laws of the country, (says Lord Oxmantown, lieutenant of the King’s County, in a letter to the chief secretary,) administered by a magistracy zealous and upright are unable to withstand an organized combination, both reason and experience have fully proved. Why it should have been so is very obvious. The combination is directly opposed to the law, and it is stronger than it, because it punishes the violation of its mandates with more severity, and infinitely more certainty than the law does. If a peasant resists the combination, it is scarcely possible he can escape punishment; but if he violates the law, his chance of escape is at least fifty to one. You will find I am warranted in what I say by a comparison of the *convictions* in a disturbed district, with the *out-*

rages, recollecting that several persons are usually engaged in committing each outrage, probably on an average not less than five; so that if five be a fair average, the outrages should be multiplied by that number to give you the convictions which should have been had, were the law effective in every instance. The fact that the same individual has often been engaged in several outrages does not alter the position; because if the laws were carried into effect, there would be a corresponding number of convictions had against him*."

Having now explained the machinery by which the Whiteboy law is carried into effect, it remains to show who are the persons on whom the weight of the Whiteboy's arm falls,—who are the victims selected for the exercise of his vengeance.

So far as the taking of arms is concerned, it is manifest that those persons only are attacked who are likely to have arms in their possession. But with respect to the other two main objects of the Whiteboy offences, viz., the regulation of dealing with land, and of the employment of individuals, it is manifest that both parties to the forbidden contract being equally guilty, the Whiteboy has the option which of the two he will punish, the landlord or the tenant, the employer or the servant. Now it almost invariably happens that the latter, and not the former, of these two is selected; that the poor and weak, not the rich and strong, are the sufferers. A gentleman may barricade his house, and if he has a numerous household, and is well supplied with arms and ammunition, he may bid defiance to any force which the peasantry can bring against him†. But the thatched cabin of the poor man is de-

* Papers relating to the State of Ireland, 1834, p. 29.

† It may be observed that *the invention of gunpowder* has had a levelling and democratic tendency, not only in assisting to make infantry a more powerful arm than cavalry in the field, but also in diminishing

fenceless, is easily broken into, and easily burnt. He has no servants or retainers to protect him, and less means of bringing offenders to justice. Moreover the murder of a poor man produces less sensation, and is sooner forgotten than that of a magistrate, a chief constable of police, or a clergyman*. Accordingly, if a tenant is ejected, not the landlord, but the new tenant is made responsible; and if, after due notice to quit the land, he remains immovable, justice is forthwith executed upon him. The same course is taken with strange servants or labourers: the master who has perhaps been the means of bringing his servant from a distance escapes unhurt, but the servant himself is persecuted till he leaves the spot; or is killed if he refuses to depart. In fact, the Irish peasant reverses the cry of the French revolutionists, *Paix aux chaumières, guerre aux châteaux!* The Whiteboys, it seems, (though, from sympathy, they would doubtless, if they could, bear lightly on their own class,) have been unable to avoid the injustice imputed to more regular systems of law, of dealing out different measures to the poor and to the rich.

“Plate sin with gold,
And the strong lance of justice hurtless breaks;
Arm it in rags, a pigmy's straw doth pierce it.”

the protection of armour at home. A feudal baron, living in a fortified castle, never going out except in armour, and on horseback, and with a train of armed followers, was almost an irresponsible being among an unarmed population when gunpowder was unknown, and he might oppress his vassals and villeins almost at discretion. A modern Irish landlord may barricade his house, and he is secure so long as he remains at home; but if he ventures in the open air, he is liable to be shot from a distance by a man who may have given his last farthing to purchase the powder and ball with which his stolen gun was loaded.

* See above, p. 23, note, for the account of the suppression of the disturbances in the county of Kilkenny, in the first Whiteboy rising.

In some cases, doubtless, the stronger party has been attacked; but that the safer course has generally been followed, will appear from the following statements; and indeed has already been partly explained in showing that the Catholics are as much assailed as the Protestants*.

“What (says Mr. J. Moore, on the Limerick Special Commission) has been developed during these investigations? Is it the poor man contending with the rich, or the rich man oppressing the poor man?—No such thing. A selfish principle of monopoly was the main-spring of their proceedings—the same which runs through almost the entire system, and which has given birth to these outrages; for we find the inhabitants of a particular district prescribing rules and regulations, by which they exclude from the sphere of their influence, as they would the enemies of the country, the inhabitants of the same nation, and the subjects of the same king, saying, not only they shall not presume to inhabit a certain place, but forbid the exercise of their lawful occupations. Thus, then, we see the poor man the object of their persecutions†.”

The following remarks occur in the Attorney-General's address to the court at the close of the same special commission:—

“It so happens, that with the exception of a very few cases—so few, that I could easily enumerate them—we have been administering the law of the land, not for the protection of the rich, but for the protection of the poor, the weak, and the defenceless. Whatever may have been the original cause of those wicked associations, certain it is, that their force and fury generally fall on the very poorest of the poor. I need hardly, as a proof of this, call to your lordships' recollection what has lately passed in this court. A man has been sen-

* Above, pp. 129—36.

† Report of the Limerick and Clare Special Commission in 1831, p. 117.

tenced to transportation for life this day, who, in the name and by the terror of those wicked associations, levied tribute from the merest paupers in the county, and compelled the poor widow to dispose of her chicken for six-pence, which she was obliged to pay, to meet their illegal demands. Again, (I can hardly trust myself with the recollection of it,) the sickly child, the only son of a widow, was tortured in his mother's presence, to compel him to discover the alms which the hand of charity had bestowed on her. These are a few selected from numerous cases, in which the law has raised its shield to protect the weak, and has stood forward the avenger of the cause of the widow and the orphan*."

Similar observations are made by the Attorney-General at the termination of the Maryborough Special Commission.

"My lords, I would further remark, as a circumstance peculiar to the prosecutions which have taken place under this commission, that, overrun as this county is by lawless, extensive, and powerful confederacies, there is scarcely an instance in which a criminal has been brought to justice in which the crime has been perpetrated against the person or property of a man of power or rank. The objects of the aggression have been those who have been unable to protect themselves,—the poor and the defenceless. I could prove this by enumerating the cases one by one. There is not, I believe, in the whole catalogue, a single person prosecuting in the rank of a gentleman. The victims of lawless outrage, unable to redress their own wrongs, have seen justice executed on their authors with the most exemplary success, and I trust will have learned that as the law is ready to afford them protection, so it is their interest, as well as duty, to aid its administration by all the exertions in their power."—p. 324.

Major Powell:—

"Were the outrages levelled chiefly against landlords, or

* Report of the Limerick and Clare Special Commission in 1831, p. 217.

against persons who came to occupy tenements from which the previous tenants were expelled?—They were against persons who took land for the purpose, I believe, of reletting it; or persons who took land after other persons had been dispossessed.”—H. L., 1824, p. 101.

Colonel Rochfort, Queen's County:—

“Is the association, and the ends of it, directed against the gentry?—Not particularly.

“Have they been attacked?—No; I only know of one gentleman; they attacked the Rev. Mr. Trench, curate of Athy: he was at church; and when Mrs. Trench had come home, and was washing her hands up stairs, a band of armed men came in, and attacked the house, and carried off the arms.

“That is the only case where the house of a gentleman has been attacked?—Yes, the only house, I believe.

“Has any gentleman been injured in any way?—No, I believe not; but Captain Lyster was fired at, but he was not injured.

“The attack on Mr. Trench was more by stealth than by violence?—Yes, it was four o'clock in the day*.

“Against what class are their efforts directed?—Against all the lower farmers who have arms; a portion of the Whitefeet might have gone for arms, but a great many committed robberies and burglaries, which all fall upon the poor. At the last commission three men attacked a poor woman's house, where she and her aunt lived together, and the whole property was not worth 10s.; they robbed her of what they could get, and two of them violated her; they are sentenced to transportation.

“In other cases, the attacks were upon farmers holding a few acres of ground?—Yes; and frequently in the same family, when there were disputes in the family, mostly about a small quantity of ground.”—H. C., 1832, Nos. 1067-73.

* See an account of this transaction above, p. 211. The attack was certainly not made by stealth: it was made by a party of armed men in the open day.

John Dillon, Esq. :—

" Were the attacks made upon the very low description of farmers holding small pieces of ground?—They were made upon every class.

" Were they made upon farmers holding ten or twenty acres? —Not except they had taken land lately in the possession of another.

" The question refers to attacks for arms?—Every one was attacked that had arms, if they could get at them.

" They interfered with every person they thought fit about land?—Yes; they did not attack those that were armed and they thought would defend themselves."—*Ibid.*, Nos. 2367-70.

Major Warburton :—

" Were they [the outrages] levelled chiefly against landlords, or against persons who came to occupy tenements from which the previous tenants had been expelled?—I think they were levelled against both; that they were levelled against the parties acting under the arrangement with the landlord, and against the landlord for making the arrangements, in many cases that occurred.

" Were many of the outrages directed against the clergy, or against the collectors of tithes?—Many of them against tithe proctors; there were not many of them against the clergy, I think."—*H. L.*, 1824, p. 78.

When the attack is directed against the landlords, it is rather made upon their property than their houses or persons.

" Was the destruction of property (Serjeant Lloyd is asked) chiefly levelled against the landlords or the tithe-owners?—The property that was consumed when I was in Cork (he replies) was in the instances where distress had been made for rent, and drawn off; it was very frequently consumed: when tithes have been drawn in kind, they also have been consumed."—*Ibid.*, p. 112.

Bishop Woodward, in his pamphlet on the Whiteboys of 1787, says, that in the county of Cork, at that time, "so general a terror of violence from the common people prevailed, that few persons, if any, thought it prudent to distrain for rent, or to process for debt." He adds in a note, that "one gentleman made the attempt [to distrain for rent], but I have good information that a notice was fixed up in the adjoining town forbidding any person to buy the goods; and the agent was under the necessity of procuring a party of soldiers to guard the corn distrained."—p. 83.

The Whiteboys have probably been of opinion with Jonathan Wild, that mischief is too valuable a thing to be wasted; and hence they have rarely committed a crime without an object, or attacked a powerful person when their end could be equally well attained by attacking a weak one. They have evidently sought in general not to provoke any unnecessary hostility. Hence, at seasons of the greatest disturbances, strangers settled in the county, and not mixed up with dealings in land, or mere passing wayfarers, are suffered to remain unharmed. The evidence of Mr. Griffith, the engineer, will explain this point.

"When you first went among them, had you any feelings of personal insecurity?—Never.

"Have you ever gone about armed amongst them?—Never.

"Is that the case with the middlemen of this district?—Some of the middle gentry go about armed, and some are attended by horse-police; I speak of the middle gentry; the higher order of gentry never go about armed; at least I have never met any who were.

"Do you think that altogether an imprudent precaution on the part of the middle gentry of whom you speak?—I think it may be very necessary for their protection; in general they are

men who are obnoxious to the people, and they are more likely to be attacked than any other persons.

"Where is your residence in this district?—In the neighbourhood of Mallow.

"Is there any part of the district that has been more subject to disturbances than the spot in which your residence is fixed?—It is considered the most disturbed part of Ireland, and outrages took place within half a mile of my house.

"Is your house barred or bolted in the night in any particular manner?—No.

"Have you had your family there?—My family have resided there for upwards of a year.

"Have you had any fear of disturbance?—I have not.

"Do you conceive that any one of the middle gentry of whom you speak would be tolerably safe to live in a similar habitation?—I am persuaded they dare not do it; the people look up to me with very different feelings; I pay them, and receive nothing but their labour in return.

"Does it ever occur, even to the females of your family, to have any personal apprehension?—I do not think Mrs. Griffith had; but when I was from home, which, on an average, was six days out of seven, the female servants were afraid, particularly when they saw fires around them.

"Did you often see those fires?—Several times.

"Do you mean that you have a perfect sense of personal security in an open house?—I have not the least fear; there was no system of robbery in the country; the apparent motives of attack were either political or revengeful, and consisted chiefly in burning corn-stacks and thatched houses, particularly those belonging to the better order of farmers or to the middle gentry who had committed some act obnoxious to the people; but I never considered myself in that light, and I have no apprehension in passing through that country in the middle of the night.

"Had you no apprehension that you might be mistaken for one of the middle gentry?—That might have occurred; but if I had mentioned my name, I think I should have been permitted to pass.

" Do you mean that your name is known through the whole of that district of nine hundred and seventy miles ?—I am certain that it is, and that a large portion of the inhabitants know me personally.

" Did the Committee understand you right, that at the period when this country was most disturbed, the upper ranks of gentry would be more secure in going through it than the middle ranks of gentry ?—I think they are more secure, at least there is more appearance of security ; they ride about the country without being armed.

" And the others do not ?—Some of the others do not.

" Do you conceive that a stranger, for instance an English gentleman, travelling either from motives of curiosity or commercial speculation, would be in security or otherwise ?—In perfect security.

" Do you conceive that if an English gentleman were to engage in the investment of capital in any commercial or manufacturing speculation, in the centre of that very district, or the most disturbed part of it, that they would be in any hazard, personal or otherwise ?—I think neither himself, nor the property, would be in any hazard, provided he treated the people justly, and paid them regularly.

* * * *

" During the height of the disturbance, the superior gentry went about unarmed ?—During the period of the disturbances which took place last year, in the neighbourhood of Charleville and Mallow, the gentlemen went about unarmed.

" If, then, they can trust their persons in this way by day, what was the reason they did not conduct themselves as other individuals, who had no apprehension, and who lived in perfect tranquillity at night ?—Because the depredations generally took place by night, and the gentry did not know to what extent they might proceed ; the attacks were generally confined to houses at night, and individuals were not molested in the day-time.

" Persons who were not obnoxious to the population had nothing to fear from them ?—Every gentleman holding land

in the country must be more or less obnoxious, at a period when the greater number of tenants refused to pay any rent, and consequently they were not certain that their houses might not be attacked.

"You have drawn a great distinction between a person that has any thing to do with land and a person engaged in commerce and manufacture?—A great one; a person engaged in commerce or manufacture is generally a favourite with the people."—H. C., 1824, pp. 230, 231, 233.

Mr. Frankland Lewis remarks:—

"When disturbances exist in Ireland, the persons who are active in them have settled objects in view, which are generally well known, and the character of them distinctly ascertained; and it does not appear to me, I never have been able to observe, that a wanton destruction of manufactories has ever formed a part of the objects of those persons who have been active in committing the outrages which are committed in Ireland. If the manufacturers were likely to have collections of grain driven for rent in their premises, I should expect to see them on fire; but I never heard that the establishment at Bandon was exposed to the slightest hazard; and I do not myself believe that any manufactory in the south part of Ireland would be exposed to more than casual or accidental danger, when disturbances occurred of which we are unhappily in the habit of hearing; and my opinion is, that the persons employed in manufactories will soon find out the fact; and that if they find that they can employ labourers with advantage, they will soon find that they can employ them with security."—H. L., 1825, pp. 35, 36.

"The traveller (says Mr. Inglis) need be under no apprehension in any part of Ireland. Irish outrages are never committed upon strangers; and however strong the disposition may be among the peasantry of Ireland to oppose the law and screen delinquents, I do not believe an outrage committed on a stranger and a traveller would receive anything but condemnation from all classes *."

* Tour in Ireland, vol. ii., p. 92.

This conduct is an additional proof that the Whiteboys act with a settled and limited object, and that however ready they may be to resort to extreme measures in order to accomplish that purpose, they put a restraint upon themselves in other respects, even when the means of gratifying themselves are in their power. For the most part, indeed, the conservative feeling, which we have above described, presides over the worst excesses of the Whiteboys: but when the country has been long and seriously disturbed, and the habit of submission to the government has been weakened by a considerable interruption, then the people begin to prey on one another, and the country begins to taste some of the horrors of the anarchy, of which the sack of a captured town affords a complete exemplification.

“ When once the people (says Mr. J. Jebb, in charging the grand jury of Limerick) have indulged in this career, the effects are visited on persons of their own classes, and are not confined to persons of the upper ranks of society, against whom they were first directed, and who were the original objects of their hostility. These crimes, under which so many of themselves suffer, become general throughout the country; the bad passions of the heart—revenge of the slightest injury, the indulgence of the animal propensities of our nature—become frequent at the slightest temptation; and the consequence is, that in those parts of the country where such a system has prevailed, homicide is frequent at fairs and all public meetings under the most trivial provocation; abduction of females who offer any temptation either of fortune or personal charms; the violation of the persons of females, whether married or single, becomes frequent and general throughout the country. Gentlemen, the consequences of such a state of things are not confined to the upper ranks of society, against whom those outrages were originally directed, but they recoil on the unfortunate people themselves with tenfold violence; and poverty, distress,

want, aggravated famine, disease ripening into pestilence—these are the sure consequences of such a dreadful state of society, and are as inevitable as, in the progress of nature, cause produces effect *."

Nevertheless even when the disturbances are at their worst, there is never so complete a subversion of law, or so frightful a demoralization, as accompanies an insurrection of slaves: such, for example, as is described by ancient historians to have prevailed in Sicily during the Servile War †, or such as, at a more recent period, has occurred in St. Domingo. The Whiteboys, even when masters of the country, seem always to pre-

* Proceedings under Limerick and Clare Special Commission, 1831, p. 4.

† Diodorus, *Fragm. lib. xxxvi.*, gives the following striking account of the horrors produced in his native country by this slave rebellion:—

"Not only (he says) did the revolted slaves ravage the island, but those persons in the country who had no landed property betook themselves to plunder and lawlessness. Numbers of these, reckless from their poverty, marched in bands over the country, driving away the cattle and sheep, and plundering the grain stored up in the homesteads: all persons whom these parties fell in with, whether freemen or slaves, they at once put to death, in order that no one might give information of their violence and excesses. The Roman authorities having ceased to administer justice, there was a complete anarchy: and all men having irresponsible power inflicted many and grievous wrongs on each other: in every place rapine lorded it over the possessions of the rich. Those who had hitherto been the first in power and wealth in each city, now, from this sudden reverse of fortune, not only were stript of their property by the slaves, but were compelled to endure in patience the insults and contumelies of the citizens. Hence no one considered anything as his own except what was within the city walls; whatever was without the walls they looked upon as lost, and swept away in the universal licence. And in general throughout the community there was a complete subversion of all legal rights: for the revolted slaves, having got possession of the open country, made every place inaccessible, being eager to take revenge on their masters, and not yet satiated with their unexpected good fortune: while those slaves who were within the walls being unsettled in their minds, and looking out with anxiety for the moment of deliverance, were most formidable to their masters."

serve a certain degree of self-restraint, and the excesses unconnected with their object into which they may degenerate are rather the work of scattered individuals, than the result of a general and wide-spreading licence.

Such then is the system by which the Whiteboys carry their law into execution; such are the sanctions by which they enforce their commands. As however the means which they use for administering their own law are in every case a contravention of the criminal law of the state, it becomes necessary to take measures for nullifying this law, and for preventing the punishers from being themselves punished in their turn. For this, the most arduous part of their proceedings, a whole series of precautions and exertions are employed: it is easy to commit a crime, but the difficulty is to avoid detection, conviction, and punishment for it. At first sight it might seem that a poor, an ignorant, and an unorganized peasantry would wage a very unequal war with a Government having almost unlimited resources at its command: it is however remarkable to what an extent they have been successful in this struggle.

In the first place it is to be remarked that the Whiteboys find in their favour already existing a *general and settled hatred of the law* among the great body of the peasantry. The Irish peasant has been accustomed to look upon the law as an engine for oppressing and coercing him, administered by hostile persons, and in a hostile spirit*. This has arisen from

* Rev. John Keily:—

"I believe it was a pretty general feeling among the common people in Ireland, that there was little justice to be had for them; in fact, I conceive it to be one of the greatest blessings that Ireland can obtain, an equal

the unfortunate religious and civil distinctions in Ireland, and from the other causes, tending to alienate the upper and lower classes, which have been explained in a former chapter. He has been accustomed to look upon himself as the object of general persecution; 'the world has not been his friend nor the world's law:' and he has sought for protection from illegal combination against legal oppression. The extent to which the hatred of the law and the sympathy with criminals are carried in Ireland, is so great as to be scarcely credible to persons who have lived in a country where the mass of the community feel that their interests are on the side of the established order of things. I have heard it remarked by persons engaged in the administration of criminal justice in Ireland, that the bystanders will hear with calm indifference the prosecutor's account of the most brutal assault and of the severest wounds and injuries inflicted on him: but when the jury have found their verdict, and the court proceeds to pass sentence on the prisoner, a thrill of pity and sympathy runs through the auditory. A singular instance of this feeling (which came to the author's knowledge in Ireland) was the conduct of a labourer, in the county of Tipperary, who, unable to obtain employment in his own neighbourhood, changed

distribution of justice to all classes there. I do not here make distinction of classes as it regards religion, but I mean the poor and the rich. It was formerly an Irish adage, that a word in the court was better than a pound in the purse. It is an Irish phrase, the idea that nothing was to be done but through interest, I will not say bribery. But, that a word in the court was better than a pound in the purse, is a phrase almost in every person's mouth in the country whence I came.

"What circumstances induced them to entertain those opinions?—A general feeling that might was more powerful than law and right in Ireland."—H. C., 1825, p. 397.

his abode; and in order to excite the sympathy of the farmers, gave it to be understood that he had quitted his home on account of having committed a murder. This plea was successful, and he received work: but his statement having transpired and reached the ears of the police, he was arrested and examined, when it appeared quite clearly that his story was a pure fiction, and he was accordingly discharged.

The following testimonies will further substantiate what has been just said:—

W. W. Becher, Esq.:—

“ Having stated, that you consider those disturbances to arise, in some degree, from the want of attachment, on the part of the people, to the constitution, do you mean by that, that the peasantry are not attached to the laws of the country? —They are not attached to the laws, nor do I think that they feel an interest in the constitution; they do not feel that sort of interest which the people of this country seem to feel on the subject.

“ Is that general?—I think it is.

“ Has that existed, more or less, in the district with which you are acquainted, during the whole period of your acquaintance?—During the whole period of my acquaintance, they have always appeared to me to want that feeling.”—H. C., 1824, p. 181.

M. Barrington, Esq.:—

“ Do you not conceive that where there is a great difficulty in executing civil process, that tends in a great measure to accustom the people of the district to breaches of the public peace?—I conceive that every breach of the law must still further accustom the people to violate the public peace. The great object in Ireland is to make them respect the laws they do in England, where if a man picks your pocket, everybody is ready to assist you in apprehending the offender; but if a man does so in Ireland, they will hustle you to let him escape.

“ Have there not been instances of workmen being actually

murdered in the noon-day, in the presence of persons, none of whom have come forward to prosecute?—That is frequently the case in Ireland; there is a kind of chivalrous feeling in thinking it an honour to protect any man who is charged with an offence.

“ You stated in a former answer that the peasantry in Ireland were always anxious to give an offender an opportunity to escape, and you instanced the case of a pick-pocket; have you not known that in cases of robbery the peasantry have generally been very anxious to have the robber apprehended, and that it is only in cases of outrage where they try to screen them?—I have known some few cases in which the farmers have pursued robbers, and the consequence was, it being so unusual, that they were rewarded handsomely for doing so. My general impression is, that they do not like to see a man prosecuted, and they will assist him to escape if they can. I attribute it to a sort of chivalrous feeling.

“ Do you know that in France it is the habit to publish a large paper, mentioning the name of each offender, the crime he has committed, and the punishment awarded; do you think such a system would be useful to the people of Ireland?—I do not. I think in many insurrectionary cases they would consider them as martyrs; and in other instances I do not think it would be of any use.

“ Can you state to the Committee, in your opinion, what it is that makes the common people have such an antipathy to the law, and which renders them so little amenable to the law in Ireland?—I cannot; but when a friend or even an acquaintance is in gaol, they have great anxiety to get him out, without thinking of his guilt or innocence. This is a feeling that runs through them all; you will find it very difficult to get a witness against a person, while hundreds will be found to swear an *alibi*, or anything else, to save him.”—H. C. 1832, Nos. 146-7; 225, 227, 230.

Mr. John Bray:—

“ Is there not a great inclination in Ireland to screen offenders in Ireland?—Yes, greatly so.

" They are not looked upon as in this country ?—There has been a feeling of that kind.

" Is there that feeling now ?—I never conversed with anybody who did not wish the Whitefeet and Blackfeet to be stopped by any and every means ; and that is the feeling which you do not find in all cases.

" How do you account for the difficulty of getting information against them ?—There is a feeling against informers in Ireland of a very long standing.

" Can you state how long the difficulty of obtaining the arrest of offenders has existed ?—A very long time.

" Can you account for it ?—It is difficult to be accounted for.

" Is it from a want of sympathy ?—The people generally find the law executed against them, and not in their favour.

" Is not that a very general feeling ?—Yes."—H. C., 1832, No. 3569-76.

The following instance of the general unpopularity of the law is mentioned by Sir R. Musgrave, in reference to the Rightboys of 1786 :—

" The conspirators (he says) bound each other by oath to resist the laws of the land, and to obey none but those of Captain Right ; and so strictly did they adhere to them, that the high-sheriff of the county of Waterford (the writer of these pages was high-sheriff at that time) could not procure a person to execute the sentence of the law on one of those miscreants who was condemned to be whipped at Carrick-on-Suir, though he offered a large sum of money for that purpose. He was therefore under the necessity of performing that duty himself, in the face of an enraged mob."—p. 46.

This feeling of dislike for the law, and of sympathy with the criminal, though it exists to a certain degree in all cases, is particularly pronounced in all Whiteboy offences, as in these the peasantry take a general interest. Robbers for mere personal gain would excite little interest ; and some species of crimes, for ex-

ample parricide or child-murder, would probably create nearly as much disgust in the Irish as any other peasantry.

M. Blacker, Esq. :—

“ Is there any general feeling of disgrace attached to a person having been convicted under the Insurrection Act ?—I do not know whether I can answer that question precisely ; but I know that those that are convicted under the Insurrection Act do not feel themselves put upon a level with those persons who are convicted of offences of another kind, for which they receive the same punishment.

“ Is there not the same distinction in other cases which have occurred on trials for insurrectionary offences, that the criminal does not feel himself to be equally guilty with other persons sentenced for other offences ?—Certainly.

“ You do not think that it is always thought disgraceful by the Irish peasants ?—No, certainly ; some of them, who are convicted, think themselves heroes and patriots.”—H. C., 1824, p. 74.

M. Barrington, Esq. :—

“ Have you ever observed any difference with regard to the difficulty or facility of procuring evidence in cases of a public nature, as compared with cases of a private nature ?—I think it is always much easier to get evidence where the outrage was of a private than where of a public nature ; I mean such as one at the last assizes, the murder of a husband by a wife and her paramour, there was no great difficulty in getting witnesses to come forward there ; but in the murder of Major Going, or any case of that nature, there has been a great difficulty.

“ To what do you attribute this distinction ?—I find it difficult to do so ; I think, in a common murder of a private nature, the people wish to have the case prosecuted ; but any case connected with the government they do not like to see prosecuted.

"Do you think there exists among them an indisposition to the law, when administered by the state and for the interest of the state?—I do; that has been always the case.

"Do you consider that there exists, on the part of the population in the south of Ireland, a general indisposition towards the law, or are they disposed to assist in its administration?—As I have described in those cases, they are disposed to assist, in others they are not; I cannot prove it better than in this way; all those cases require the witnesses to be protected after the prosecution, and the others do not."—H. C., 1825, pp. 574-5.

In a trial at the Maryborough Special Commission, for a Whiteboy offence of breaking into a house for arms, in which a man was stabbed and otherwise ill-treated, one of the witnesses for the Crown, the sister of the wounded man, is examined as follows:—

"Do you recollect the morning after your house was attacked to see women coming into your house?—I recollect women coming in laughing to ask how my brother was. (Witness mentioned the names of four or five of the women.)

"Can you account for their barbarity in laughing?—I cannot; in all the houses I went to, after the morning of the attack, the women laughed.

"Do you mean the neighbours' houses?—I do: the morning after the attack I went very early and rapped at the doors, and they seemed pleased that my brother was stabbed."—p. 274.

There is, in this respect, a remarkable difference between England and Ireland; in England, as anybody may satisfy himself who attends a crown court, the public sympathy is almost always *with* the law, and *against* the criminal, especially in the more atrocious crimes. A body of persons who sought to prevent the execution of the law in England by intimidating witnesses would at any rate not find public feeling in

their favour. The same is likewise the case in the United States.

"In America (says M. de Tocqueville) the means which the authorities have at their disposal for the discovery of crimes, and the pursuit of criminals, are few. A state police does not exist; passports are unknown. The criminal police of the United States cannot be compared to that of France; the persons charged with the business of prosecution are not numerous; they have not always the initiative of prosecutions; the preliminary examinations are rapid and oral. Nevertheless, I doubt whether in any country crime so rarely escapes punishment. The reason is, that every one thinks himself interested in furnishing evidence of the crime, and in arresting the delinquent. During my stay in the United States, an instance occurred of the inhabitants of a county, where a great crime had been committed, spontaneously forming themselves into committees in order to apprehend the offender. In Europe a criminal is an unhappy being, who is struggling for his life against the ministers of justice, whilst the people are merely spectators of the conflict. In America he is looked upon as an enemy of mankind, and the whole human race is against him*."

The mere unpopularity of the law in Ireland would not, however, suffice to prevent its execution; it assists the Whiteboys in their undertaking, but only assists them. In order to accomplish their work, they direct a systematic intimidation, armed with the severest sanc-

* *La Démocratie en Amérique*, tom. i. p. 159. M. de Tocqueville, in opposing Europe in general to the United States in this respect, evidently had in his mind the continental states, where an extensive police-system exists. England, with regard to police, is in nearly the same circumstances as the United States, and the same co-operation of the public, in cases of crime, ordinarily exists. In the continental states, the police is sufficiently strong to apprehend criminals without assistance. The people, consequently, whether they sympathize or not with the law, are passive spectators.

tions against prosecutors and witnesses, of the same description as that which they employ against land-jobbers. We will give copious illustrations of this point, as it is the keystone of the system, and as without it all their other exertions would be fruitless.

Speaking of the intimidation of witnesses, Woodward, Bishop of Cloyne, says, in relation to the year 1787:—

“The effect of this is proved by the proceedings at the last assizes in Munster, where, after the multitudes of instances of breaking open houses, robbing the inhabitants of fire-arms, ammunition, and money; of incendiary letters; of maiming inoffensive and helpless persons, and other capital crimes, notoriously committed in every quarter of the province, by many different parties of men, each amounting to several hundreds; so that the number of persons guilty of capital felonies must have amounted to thousands; only *two* persons were capitally convicted; and *not one* in the extensive county of Cork, where the outrages were at least as flagrant and general as in any other. The cause is obvious; witnesses did not dare to appear. And the repetition of like offences since the assizes, when all disputes about tithes were at an end for the current year; the continuance of assembling in numerous well-armed bodies, and passing *winter nights* in levying money and taking fire-arms forcibly and feloniously from the Protestants (a proceeding which now extends to the province of Leinster, within less than fifty miles of the capital), are proofs too pregnant of the effect of the impunity of their associates, and of their future intentions*.”

M. Blacker, Esq.:—

“In your experience at the bar, have you found that in ordinary trials under the common law there has been great difficulty

* On the Present State of the Church of Ireland, p. 15. The hostility to informers showed itself very early in the proceedings of the Whiteboys. See above, p. 13.

in prisoners getting good characters from some witnesses or other?—I am afraid, in Ireland, it is too easy in all trials, before all tribunals, to get characters. There is a natural disposition in Irish people to save a prisoner, no matter who he is, or what he is charged with; but it is a grievance which exists to a much greater extent under the Insurrection Act than before the ordinary tribunals; for there is not only that good nature which leads an Irishman to come forward in defence of a neighbour against the law, but there is an apprehension and dread in the minds of the witnesses, who frequently say upon the table that which in private even they admit is not true; but which they state they have been compelled to say upon their public examination.”—H. C., 1824, pp. 53, 54.

M. Barrington, Esq. :—

“ Does this intimidation operate further, so as to check the administration of the law?—It does; they are threatened if they attempt to prosecute or give any information, and they swear them not to do so.”—H. C. 1832. No. 36.

Rev. Nicholas O'Connor :—

“ How does it happen that these violences make so much progress; is it because the laws are not sufficient to put them down that they are not checked?—I cannot account for it otherwise than by saying the people are afraid to give information; they bear with the injury for fear they should be murdered if they give information.

“ The dread of punishment for giving information prevails to such an extent as to render the laws inoperative?—Not entirely inoperative, because they have been executed in many instances.

“ But inoperative in the first instance, until the system gained a great height and has established itself generally?—Yes, it has established its empire over the whole county.”—H. C., 1832, Nos. 3197—9.

M. Singleton, Esq. :—

“ You have stated, in the early part of your evidence, you

have found, generally speaking, that the prosecutors upon all occasions almost were Protestants; have you found that there was any reluctance on the part of Roman Catholics to prosecute?—Yes, I have.

“Do you consider that that reluctance proceeded from intimidation or from an indisposition to see the law properly executed?—Both.

“Do you mean to convey to the Committee, that the Roman Catholics of the middle and higher orders are indisposed to the laws and government of the country?—The lower and middle classes are generally, but I should not take upon me to say the higher classes are.

“In both the counties of Galway and Kerry have you found among the Roman Catholic farmers any indisposition to prosecute?—Not in the county of Kerry, but I have in the county of Galway and the Queen's County.

“Do you attribute that indisposition to any want of concord between the Catholic farmers and the constabulary establishment?—I attribute it more to intimidation.”—H. C., 1832, Nos. 4181—3. 4187—8.

Thomas Bermingham, Esq., Queen's County :—

“Are they not in that situation that they are obliged to connive at the nightly disturbances, and afraid to act or give information that other properties have been disturbed?—I think they are afraid to give public information, but I say they are anxious to come and explain what is going on, and to assist as far as they can; no men are more inclined; it is their own property which is at stake.

“Are the well-affected farmers in the county of Galway afraid to come forward publicly and give information, and do they not know and connive at a great deal which they would give to a person they had confidence in, if they were not brought forward as public prosecutors, in a court?—Certainly, I think there is; I have known instances of that: if a man turns away his shepherd his flocks are left without one; there are the lambs to be attended to at particular seasons of the year, if he turns off a shepherd and appoints another. In

some places there is a combination going on, as much as to say, you shall not get rid of a servant who does not suit you; but I wish to remark that I have got a great deal of information in that way, which has enabled me to call together the gentlemen of the country to back their people, as I before described, and in that way you may bring the information you have got to bear, without the parties being known; you may unite and join several in putting that down, but above all the landlord, for if the landlord is not present he must have a representative who will expose these things; he must protect the tenantry and give them his advice. No doubt the landlord would have a great effect at all times by supporting the tenantry in this way, and putting an end to disturbances."—H. C., 1832, Nos. 7196—7.

The following instance of unwillingness to prosecute (though ultimately overcome) is mentioned by Mr. Singleton :—

"A man of the name of Nolan, who I am informed is in the possession of land, and has property to the amount of nearly 300*l.* a year, his house was attacked on the night of the 12th of this month. (June, 1832.)

"Was he a Protestant or Catholic?—A Catholic; it was broken into, and when they entered it they commenced beating him most violently, and when his wife came to his assistance, they also struck her severely, and they were continuing with savage fury upon them till one of the party who was outside the house cried 'No. 25!' the announcement of which caused the whole of the party to retreat. Mr. Nolan went to a county magistrate and related the whole of the transaction, and stated to him that he did not know the persons of any of the party. I received information of the outrage through the police. I summoned him to appear before me at Ballyline; when he came before me his first word was, 'Sir, I do not know the persons of the party;' I told him, under the disturbed state of the country, I would not ask him to give me information against any individual, unless I bound myself to

place a party of police in his house for his family's protection. I asked him if he had any objection to give me an information of the facts; he said he had not. I took his oath to that information, and also swore him to answer me such questions as I should put to him concerning the outrage, and the persons who committed it; and when I asked him if he knew any of the persons, he refused to give me any answer: he said if he gave me that information his life would not be safe for twenty-four hours. I told him I would send a party of the police to his house for his protection; he said, 'That may do for the present, but I should after forfeit my property.' And when I found that had no effect upon him, I told him the law would authorize me, and as a police magistrate, I should commit him to the county gaol until he would answer the question. He said, 'Commit me if you please; while I will be inside the walls of Maryborough gaol, my person will be free from assassination.' Under those circumstances I did not ask him further, but I felt it my duty to commit him to Stradbally gaol for further examination; he was in gaol for forty-eight hours, and at the expiration of which he was then satisfied to make the information. He did do so, and he swore against ten men of the party, in consequence of which I was obliged to place a party of police in his house for the protection of himself and family.

"Has this house been attacked since, or any demonstration of it?—No, not since."—H. C., 1832, Nos. 4095—7.

Such cases, however, as the following, in which the witness was afraid to tell the truth, are of much more frequent occurrence. Mr. Daly having mentioned the acquittal of seventeen persons, tried under one indictment, at the Mullingar Spring Assizes in 1825, is examined as follows:—

"Have the goodness to state to the Committee what you know of that case?—Most part of last winter, my neighbourhood was occasionally disturbed; a great many outrages had been committed, some houses attacked, many people waylaid

and punished for offences supposed, as I conceive, against the rules and regulations of the society generally termed Rockites. In the case of this man, a party had attacked his house from two different quarters in the neighbourhood.

"What was the name of the man?—Pat Connolly; he had been attacked by a party of several men; against some of them I had received information beforehand, by an informer to whom an illegal oath had been administered. I committed those men on this information, and sent the informer away out of the country for protection, under the care of a confidential person; before he left me, I perceived he had something still lurking in his mind, which he did not disclose at first; however, on his return in about ten days afterwards, I discovered that he was willing to give me further information; and that was, the attack on this man's house."

* * * *

"Was the evidence given by the informer upon the trial corresponding with that he gave before the grand jury?—I was not present; but I know the evidence on the trial was at perfect variance with that before given.

"To what do you attribute the variance between the evidence before the grand jury and on the trial?—Intimidation; fear to prosecute.

"What reason have you for that opinion?—Generally the cause of such acquittals in my country is fear and intimidation; the fear of giving evidence in consequence of being considered informers, and unfortunately an undue regard for the obligation of an oath amongst the lower orders.

"Did any circumstance of an extraordinary nature occur after the acquittal of those prisoners, which served to explain how it came to pass?—After the acquittal, the agent of the prisoners came down to them, as I was informed by the affidavit of a policeman, and said to them, 'I did the business well last night, or you (the prisoners) would have been beat to-day; the Connollys did their business right well on the table to-day.'—H. L., 1825, p. 512, 13.

Another remarkable example of this kind of intimi-

dation is mentioned by Mr. Myles O'Reilly, as having recently fallen under his observation, when sitting on the grand jury at the Maryborough Assizes.

"An aged man and his wife were produced as witnesses to sustain an indictment for a grievous outrage and assault. An armed party had come to his house at night, and inquired why he had not subscribed to some demand that had previously been given to him relative to some small piece of land; he made the best excuse he could; but one of them, after having put him on his knees, deliberately cut off his ear, and the party beat him and his wife severely. They had proceeded before the magistrates the following day, and had distinctly described and subsequently identified five or six persons, who were then indicted. When the old couple came before the grand jury they both deliberately denied the informations altogether as to the identity; they sustained them in every other particular, but affected to be quite ignorant of the persons who had committed the offence. The grand jury were disposed immediately to order an indictment to be preferred for perjury, but suspended doing so at my request, until I should speak with the poor couple outside. I did not ask them to commit themselves to an avowal of the perjury that they manifestly had committed, but the poor man, showing me his ear, said, 'Sir, I have still got one ear, and my skull is not broke; I have lived too long in my place to wish to give it up; I have grandchildren—orphans—to protect, and my old wife and myself are too old and too poor to set about transporting ourselves;' and the indictment for perjury under those circumstances was not preferred by the grand jury.

"Did the prosecution go on?—It could not go on; it utterly failed, and the offenders were let loose to re-commence their outrages."—H. C., 1832, Nos. 5916—17.

There is no name of more ominous sound in Ireland than that of *informer*. A man who has given information or evidence against a Whiteboy is doomed to certain death. If he attempted to return from the assizes

to his house, he would be hunted through the country like a mad dog; every hand would be raised against him. A man who takes land over another's head may be spared; but a man who has given evidence to convict a Whiteboy may (in the language of the threatening notices) "make ready his coffin*." Some instances of the murder of witnesses for the crown are mentioned in the following statements:—

Major Warburton.

"Have you found any difficulty, generally, in obtaining information?—Very great indeed, latterly in particular; the system of terror was so very strong. In the two instances I have mentioned, the person who first gave me the information, and who was assassinated, from having got drunk, and having dropped expressions which induced them to believe he had given information; that, and the individual who was shot, have made it very difficult to get information since."—H. L., 1824, p. 89.

Major Willcocks.

"Did you ever hear a phrase, as connected with prisons, the Croppy's hole?—Frequently.

"Will you explain to the Committee what is meant by the phrase, Croppy's hole?—I have known, and I have seen it; persons that were executed under the sentence of the law were brought into a certain part of the prison and interred there.

"In those cases, were the rights of sepulture allowed?—None, that I saw.

* The hatred and dread of informers which prevailed among the upper classes of Rome during the empire was not less strong than that which now prevails among the lower classes in Ireland, and it arose from the same cause, viz., that they were considered as the agents of oppression and tyranny. "*Sic delatores (says Tacitus) genus hominum publico exitio repertum et pœnis quidem nunquam satis coercitum, per prœmia eliciebantur.*"—Ann. iv., 30. The sycophants of Athens are a parallel case. Informers have always been obnoxious in proportion as laws have been oppressive.

" In those cases was quick-lime thrown over the bodies ?— In some I believe there was.

" Was this done in the presence of any of the prisoners ?— Yes, I think it was ; there were some of the prisoners about the gaol who assisted in the performance of it.

" You have known this occur more frequently than once ?— I have known it to occur in Limerick, in Tipperary, and in Westmeath.

" Will you explain what the object of this mode of sepulture was ?—To prevent the friends of the persons executed from assembling at wakes, and entering into further conspiracies at those wakes ; I think that was the great object.

" You state, that the object was to prevent the friends having a wake upon the body ; have you known any evil consequences result from wakes upon the bodies of criminals ?—A good deal ; I think conspiracies have been formed there to commit outrage upon the prosecutors and persons engaged in bringing those persons to justice.

" You spoke of its having in part for its object, to prevent conspiracies against the prosecutors ; has it often fallen within your observation, that witnesses and prosecutors were afterwards murdered ?—Very often.

" Do you consider that as a common or an uncommon occurrence, in those disturbed districts ?—Very common, to murder them, and spirit them away, and keep them out of the hands of the law officers.

" Witnesses murdered, for having given true evidence or false evidence in court ?—I have known courts of justice to act upon their evidence afterwards, by reading it upon trials." —11. C., 1824, p. 106.

" My lords (says the Attorney-General in one of the Maryborough trials), the immediate cause of the attempt upon Magee's life was this, that he had dared to take, or rather that he had dared to occupy with his uncle, a house and farm, of which a Dr. Carter had been the tenant, and which he had been obliged by threats of violence to abandon : why ? because Dr. Carter at the last assizes was produced as a witness for the

crown, to prove the dying declarations of a man who had been murdered; and Magee was to forfeit his life because he dared to inhabit the house and farm from which Dr. Carter had been expelled*."

An attempt to kill an informer among the Irish at Wigan, although his offence had no Whiteboy complexion, is mentioned by Mr. Lord, a magistrate of the borough, in his evidence taken for the Irish Poor Commission.

"A young Irishman, about October last, gave information to the magistrates that two Irishmen who had recently come here, and followed the trade of selling oysters, had committed a rape and robbery in Ireland, and had fled from justice. They were apprehended and detained more than a week, but, in consequence of a delay in receiving an answer from Ireland, they were liberated; the day they were liberated the warrant came from Ireland for their apprehension. Several attempts were made by the Irish to murder the young man who gave this information and his brother; the attempts were made openly by several persons, and he was once struck on the head so severely that he was nearly killed. I believe they have both since left the town†."

They will even go so far as to destroy one of their colleagues, when he has been wounded and is likely to fall into the hands of the police, and thus be induced to give information.

Major Warburton.

"In one particular instance, about two years since, or rather more, there was a plan laid in the city of Limerick to take away the arms of a yeomanry corps, in the neighbourhood of Six-mile-bridge; the Rosscastle corps.

* Maryborough Special Commission, p. 50.

† Appendix to the Report on the Irish Poor in Great Britain, p. 87-8. That the Thrashers murdered informers is stated in a passage cited above, p. 41.

"What do you mean by taking their arms?—Carrying off their arms, which were lodged in the store of the captain; about 60 men came out from the city of Limerick that night, who were joined afterwards by people in the neighbourhood of Cratloe, and then all proceeded to rob those arms.

"And what date was that?—I think it was two years ago, before the Insurrection Act was applied to that barony.

"In point of fact, did they possess themselves of all the arms of that yeomanry corps?—No; from having that information, as I had in the other instance, I was out at night, and met them.

"Describe what passed?—I had placed an advanced guard in the neighbourhood, and I gave them directions to fall back on me when they found the men coming; but they were equal tacticians, and they had an advanced guard, and the two advanced guards had a rencontre; the consequence was, I was not able to come up with the main body, and from the firing which took place the party dispersed, in a very dark night; one individual was shot, and one so badly wounded they were obliged to carry him for two or three days in succession, from place to place, and he was so tortured by this, that he sent to me to give himself up. I sent a surgeon to have him taken care of; the house was burnt the night after, and in dragging him out the man was killed.

"Do you mean that they burnt the house intending to consume him in it?—The matter was involved in mystery; the very night after I sent a surgeon to him, and it was known that he had sent a proposition to me to give himself up, the house was burnt, the person in attendance upon him dragged him out of the fire, and the man died in the dragging him out."—H. C., 1824, pp. 138-9.

In the above case, although Major Warburton abstains from assenting to the obvious explanation suggested by the Committee, it seems clear that the house was set on fire in order to kill the wounded man in it, who was unable to move.

So great indeed is the danger to which witnesses for the crown are exposed in Ireland, and so great the probability of their being murdered, if not put in a place of safety, that it has been found necessary to provide, by a special enactment, that the depositions of murdered persons may be read in evidence*.

As giving evidence in Whiteboy cases is equivalent to a sentence of death, there is no means of inducing persons to come forward as witnesses, except by offering them protection, and reimbursing them for the sacrifice which they make. It is therefore the established practice, in cases of this kind, for the witnesses, when their depositions have been taken, to be sent up to Dublin, or lodged in a gaol, or in some place of security, until the trial take place; and then for the government to furnish them with the means of removing elsewhere, that is, in general, of emigrating to America†. At the best, therefore, giving evidence against a Whiteboy entails the banishment of the witness; a sacrifice which many people would be very

* The 50 Geo. III. c. 102 s. 55, having recited that "whereas it has happened that persons who have given information against persons accused of crimes in Ireland have been murdered before the trial of persons accused, in order to prevent their giving evidence, and to effect the acquittal of the accused," proceeds to enact, that "if any person who shall give information on oath against any person for any offence against the laws shall, before the trial of such person, be murdered, or violently put to death, or so maimed or forcibly carried away and secreted as not to be able to give evidence on the trial of such person, the information so taken on oath shall be admitted in all courts of justice in Ireland as evidence on the trial of such person." This provision was extended to grand juries by 56 Geo. III. c. 87, s. 3. The former act likewise contains a clause enabling grand juries in Ireland to present such a sum as they shall think just and reasonable to be paid to the personal representative of any witness who shall be murdered before trial, or to himself if maimed. s. 6.

† They commonly receive sums varying from 20*l.* to 50*l.*

unwilling to make, even if they were slight gainers in a pecuniary point of view. The government finds that it must choose between two alternatives; either to obtain no convictions in Whiteboy cases, or to provide for the witnesses: and however expensive the latter course may be, it is at least preferable to allowing the law to be tacitly repealed by the insurgents. The manner in which this assistance is afforded by the government will appear from the subjoined statements.

W. W. Despard, Esq.:—

“Do you conceive that the prosecutors who have come forward and done their duty, have been adequately protected in the Queen’s County?—I believe that those that came forward at the last commission were; they have not been remunerated yet, but they have got protection; they cannot go back again; they would be murdered; there are some in Maryborough and some in Dublin; I believe the government will take care of them.

“Their condition will not be worse after prosecuting them than before?—I cannot speak to that; it will depend upon the intentions of government.

“Have any of them been supplied with the means of emigrating?—I believe they have not since the last commission; I do not know what the government intend doing with them; I believe they will be furnished with the means of emigrating.

“Do you conceive if witnesses were adequately provided for, so that when they came forward and did their duty they did not render their condition worse than before, that it would have the effect of putting down the disturbance by the ordinary laws?—It might encourage witnesses to come forward to prosecute.”—*H. C.*, 1832, Nos. 739-42.

Sir John Harvey, Inspector General of Police:—

“Has there been much difficulty in obtaining evidence so

as to detect persons connected with this Whitefeet system?—In consequence of the system of intimidation, and the extensive nature of the combination, there has been great difficulty, but that has been in some measure overcome.

“Has it been a difficulty of such a nature that the long continuance of the system enabled it to get great head before there were any means of checking it by the execution of the law?—It has acquired a very great strength, but it has yielded to those means I have alluded to.

“In what way do you think it has been overcome?—By the exertions of very intelligent magistrates and police officers, who have had funds placed at their disposal, and have made a judicious use of them; it is impossible to obtain information without payment.

“Were those funds appropriated till lately?—I think perhaps not quite sufficiently early; that means of remedy was not applied till it was clearly called for.

“Was it found possible to obtain evidence, or to execute the law, without having recourse to those means?—I should think it was impossible.

“It was found in practice there was a great extent of crime committed, and no person apprehended?—Yes.

“Does that appear upon the returns of your officers?—It is a part of our instructions to them to use their utmost exertions to procure that evidence, but it was found impracticable.

“Has it occurred to you that you have seen an account of several hundred crimes, and hardly the arrest of a single person concerned?—Yes, I might say so to a very great extent, at one period.”—H. C., 1832, Nos. 1944-51.

Myles J. O'Reilly, Esq. :—

“Do you think that witnesses are sufficiently protected for the support of the due administration of the law?—The dangers and difficulties which in Ireland all witnesses, who come forward to prosecute in insurrectionary cases, encounter, are so certain and so great, that I am often amazed that they are found to come forward at all. I think I have already men-

tioned, that I have seldom seen an instance, where the punishment of the convict was to be transportation, in which I did not think that his situation was more enviable than that of the witness who prosecuted. As illustrative of that, it would not be a loss of the time of the Committee to hear the particular circumstances of a few witnesses who prosecuted at the late commission, and towards whom the government, I know, are most anxious to extend whatever protection they practically can. There is a man of the name of Thomas Miller, a Protestant, who prosecuted five persons to conviction; he was a farmer, holding fifty acres of land under a good lease, at 12s. an acre, having paid a considerable sum for the purchase of the interest; he was in his house in bed, at night, when his Catholic neighbour, a man of the name of Terrott, had his house violently attacked; Terrott made his escape, by bursting through a mud wall into another house, and ran off, and got some assistance from Miller, who rushed out in his shirt, giving the other man a gun, and having a double-barrelled pistol himself, and both ran immediately towards the house, where, having in vain sought Terrott, the party were ill-treating his wife and children; a mob of at least twenty-four persons arrived, some of them armed, engaged in this outrage, immediately advanced towards them, and Terrot besought Miller to fire on them; but this man, conducting himself with a degree of humanity and coolness that did him infinite credit, abstained from doing so until they had burnt priming twice or three times at him; they then rushed upon Miller, and he shot the man who seized him by the collar; the pistol was then knocked out of Miller's hand, and they beat him dreadfully, and left him in fact for dead. This man had been previously very much respected and regarded by all his neighbours, including those from whom he differed in religious persuasion. The Chief Justice, in passing sentence on one of the convicts, used these words:—'You are much indebted to the representation made of you by that brave, gallant, and humane, and single-hearted character, Thomas Miller—that man who so nearly lost his life by the brutal and cruel violence of your associates, committed in your presence,

has stated you to be a young person of good conduct. I had a question put to him since your trial, with reference to that part of his evidence which represented you as stooping over his body and looking into his face, then within four inches of your own, and then weltering in his blood, whether that might not be attributed to a return of your good natural feeling, and to your wish to ascertain the extent of his danger; when that question was put to that honest man, he said at once, 'I would be glad to think so, and I believe it was so.' The Committee are to learn, however, that this excellent man, [is] compelled to contemplate, and, if possible, to effect the immediate expatriation of himself and all his family. A memorial, stating the facts of this case, was presented to the government, and they have signified, that if he contemplates remaining on his farm, there will be a police protection afforded to him; he has also been offered (but whether he will receive it or not I cannot say) a donation of 30*l*.

"Does he live in a slated house?—I am not aware.

"Are you aware that the Irish Government, in similar cases to what you have stated, and where the parties lived in thatched houses, have given money to have their houses slated, and put in a state of defence?—I should be very sorry to be understood, in what I have stated in reply to any previous question, or to this question, as at all advocating the case that the Irish Government are indifferent to the welfare of such persons; the contrary is distinctly my opinion and feeling; but I do not believe that the Irish Government are supplied with the proper means whereout to do that which their own wishes and good policy would lead them to do; they may in other cases, but I am not precisely aware in what particular cases they have furnished slated roofs in the manner mentioned, and I think it a wise thing to do. Two persons who gave evidence on the same trial, Terrott and Howse, have been offered the means of transporting themselves to America."—H. C., 1832, Nos. 5913-5.

Without the machinery of crown prosecutions, and the provision for witnesses in Ireland, the law, as far as

the repression of Whiteboy offences is concerned, would remain a dead letter ; so complete is the system of terrorism directed against persons giving information in these cases. It is, however, worthy of remark, that this intimidation is not extended to jurors : at the seasons even of the greatest disturbance, there has been no difficulty in inducing persons to serve on common juries, and to convict prisoners where the evidence has been sufficient.

M. Barrington, Esq. :—

“ Have you given instances of the malignity of the people being infinitely greater towards magistrates who act under the Insurrection Act than towards jurors ; have you not known such instances ?—I have ; I have never known instances of hostility to jurors, [at the same time that the persons who have been acting as jurors have been attacked, returning from the Insurrection Act, though they had been serving on a jury to try a capital offence, and on the Insurrection Act to try a transportable one*.] There is a rancour remaining in the country for years after, and a hostility against magistrates who act under the Insurrection Act ; not the slightest against jurors.”—H. C., 1832, No. 253.

It is difficult to understand on what principle jurors have been treated so leniently, while witnesses have been persecuted with such unrelenting cruelty. Perhaps they may have been spared from the feeling that the task of a juryman is thrown upon him by the law, and is not sought after by himself : whereas a witness comes forward spontaneously, and of his own mere motion ; and therefore he seems to be gratuitously abetting a system which is the object of popular hatred.

* There is some imperfection in the report of the part of this passage which is inclosed in brackets. Its general purport seems, however, clear.

There remains only to be mentioned the last stage in the Whiteboy system. When all means for the intimidation of informers and suppression of evidence have failed, and when the Whiteboy and the crown witnesses are both in safe custody, the only chance of saving the prisoner is to ensure that he shall be well defended at his trial. For this purpose, shortly before the assizes, people go round the country levying money by threats, and sometimes stating that they have to make up a precise sum. This is the only instance in which the Whiteboys take money; and in this case, it will be observed, that the robbers take it for the benefit, not of themselves, but of others.

Mr. James Lawler, Kerry :—

“ Is it the practice for this description of persons to go about and levy money upon the people ?—It was notorious; it was a matter of notoriety, that those persons who were called insurgents levied money upon the poor innocent wretched peasantry.

“ Do they fix the sum themselves ?—They used to get, as I have often heard, 5s. or any sum, according to their caprice, as they may choose to require, and the ability of the peasant to pay.

“ If a man refuses to pay, what happens ?—They tell them they will burn their houses, as was generally complained of by the peasantry about the country at that time.”—H. C., 1824, p. 443.

The following speech of the Attorney-General, at Ennis, during the Clare Special Commission, will show in what an open and methodical manner this collection is sometimes made :—

“ Michael Grady was indicted for feloniously, with force and by menaces, demanding money from various persons, with intent feloniously to steal the same.

“ The Attorney-General.—Gentlemen, the prisoner is the collector of the ‘ Terry Alt Fund ;’ and I will now give you a short history of his proceedings, the manner in which he collected this fund, (whether he accounted or not, I don’t know,) for a few days before and for some days after the opening of the Special Commission. It became necessary, in order to protect those prisoners who are charged with insurrectionary crimes, to raise a sufficient pecuniary fund. Accordingly, the prisoner at the bar undertook, in the name and by the authority of the Lady Alts and Lady Clare, or both, to select a portion of the country, in the neighbourhood of Meelick, which he had regularly assessed, and put down in a book the names of the contributors to this fund, and the amount which every man was to be compelled to pay. He went about in discharge of this duty as regularly as any collector of the cess of the county would do in peaceable times. Indeed, he was infinitely more successful than any person employed in the collection of the public money. He went about, and as is the case with all tax-collectors, when refused, promised to call again. I shall, out of a great number of cases, mention the circumstances that occurred with a gentleman named Miller, to show the general character of this man’s conduct. On the 28th of May, Mr. Miller, an half-pay officer, who has a farm near Meelick, was visited by a large body of armed men, whose object was to drive him from his farm. On the 30th of May, two days before the Commission opened in Clare, and while the Commission was actually sitting in Limerick, he was from home, and on his return was informed there was a man waiting for him a long time. On this the person came in (it was the prisoner), and being brought to the parlour, he told Mr. Miller he got a list from Lady Clare and Lady Alts, specifying each person, and the townland, from whom they were to collect subscriptions,—that he did not mean to compel him to pay, but recommended him to do so, as it was possible, by complying, he would be restored to the possession of his farm. On this, Miller said, I don’t think they have any claim on me,—they treated me very badly, and think it very odd they would come

to me to demand money. The prisoner repeated, that it would be a great deal better to comply, went away, and proceeded to raise the other sums he had assessed from the different persons in the country, a list of whose names he showed at the time, and promised to call again, Mr. Miller having mentioned he was an officer in the army, and that his subscribing to such a fund would involve him in difficulty. And what think you, Gentlemen, the very hour at which the judges were passing through Meelick Turnpike-gate, from Limerick, to open this Commission, he did again call on Mr. Miller. He was then in a considerably hurry. 'Hurry, hurry,' says he to Mr. Miller, 'several of the Ladies are at my house waiting.' Miller said he had mislaid the key of his desk; on which the prisoner said, 'Is that the answer I am to give to the Ladies?' This is only one instance in which this man attempted thus to levy money. There are no less than fifteen who can be produced, to whom similar visits were paid. He went from house to house, in a most impudent manner, and in the name and under the authority of this Lady Alt, levied contributions from the king's subjects. On the 13th of the present month, the police constables went to his house, and there found the list of the assessments and contributions. The man is now indicted for a transportable offence, of demanding money, by menaces and threats*."

The subjoined testimonies refer to the Queen's County:—

W. W. Despard, Esq.—

"Were there subscriptions raised for the defence of the persons tried?—Yes, it was done openly.

"To what description of persons did they apply?—They applied to all the farmers; they went to the farmers in my neighbourhood, and asked for money to defend their brothers in gaol.

"Was it done in daylight?—Yes, in the middle of the day.

* Clare and Limerick Special Commission, p. 162-4.

"Was it made in a sort of way to be connected with any threat?—If they were refused, they would look at the man and say, 'Mind that.'

"That was an intimation that the result of the refusal would be some sort of punishment and injury?—Yes.

"In this way they actually succeeded in raising a large sum of money for the defence of the prisoners?—Yes.

"In what way were they defended; did the defence exhibit much expense?—I believe the counsel were very well feed.

"How many counsel were employed in a case?—Sometimes three, but generally two.

"Was the trial conducted with every sort of advantage to the person charged, as far as money could provide for legal defence?—I should think so."—H. C., 1832, Nos. 538-46.

M. Singleton, Esq. :—

"Are you aware that the Whitefeet have a treasurer and a fund?—Yes, I am; and I believe they have forcibly levied money for the defence of the different prisoners that were tried at the Special Commission.

"Are you aware who the person is that is the treasurer?—I heard the name of a certain person who came from the town of Carlow, and attended during the Commission; and the report alleged that he was the treasurer, and that he paid a large sum of money for the prisoners' defence.

"Do you believe that to be true?—I do*."—H. C., 1832, Nos. 4085-7.

Having thus set forth at length the proceedings of the Whiteboys, when their system is in activity, it only remains to observe, that we are not to suppose that its influence ceases when the disturbances are no longer at their height, and when the country has passed from insurrection to a state of comparative tran-

* Mr. O'Leary mentions that, so early as 1786, the Rightboys "collected money in two or three places for the support of their confederates who were in gaol."—Defence, p. 54.

quillity. At the present moment, in Ireland, many parts of the country are only tranquil because there is no need for disturbance. Whiteboyism reigns triumphant. It does not put forth its strength, because it has beat down all opposition. There is no need for applying the punishment where there is no disobedience. The country is tranquil; but in many parts it is (as was once remarked in reference to this subject) the *tranquillity of a barrel of gunpowder*. If any person imagines that the Whiteboy code is abrogated, whenever outrages are not daily committed, let him ask the Tipperary or Limerick landlord to what extent he is a free agent in the letting of his land, and what would be the probable duration of the life of a new tenant who violated the Whiteboy rules. If such an inquirer finds the regulations of this system universally obeyed, he will admit, that the more effectual the penal system, the rarely are its penalties actually inflicted.

FACTIONS.

There are certain local parties among the peasantry, in a large part of Ireland, but especially in Munster and Connaught, usually known by the name of *factions*, which have been already mentioned as increasing the disposition, or at least the opportunity for disturbance*. “Have not local factions, in some places (Mr. Justice Day is asked), contributed to the disturbances?—Yes (he says), in some places; in the dark and more uncivilized parts of the country. It is a remnant of the old barbarous Irish system of clanship, which still continues

* See above, p. 179.

in practice. In the county of Tipperary that spirit has exhibited itself in frightful disorders and turbulence*."

On account of this connexion, we shall now offer a brief explanation of these peasant factions.

There are two opposite principles in regard to the political union, which, like antagonist muscles, draw men in different directions, and both of which are manifested in what has been termed *party spirit*. The one is the *separating* principle, which induces men to distrust, to fear, to hate, to threaten, to use force against their fellows; the other is the *combining* principle, which induces them, for the sake of security, to form an association with their fellows, having its peculiar name and distinctive marks: the one is the principle which binds a man to his party, the other is that which repels him from all who are not of his party. In general, the intensity of one of these feelings also increases the intensity of the other: the more strongly a man is attached to his party, the greater is his dislike of his opponents; the more vehemently a man hates the adverse party, the more closely does he cling to his own. One of the chief elements in the progress of civilization is the extension of men's sympathies to a more numerous body of their fellows, the enlargement of (what in a general sense we have termed) their party. At the beginning, society is composed of a number of small collections of families, called either clans, or tribes, or villages, in which each man's sympathies are confined to his own little confederacy, without extending to the larger union of the state. The next step is, for a man to sympathize with his *class*; a poor man, for example, only cares for the poor, and a

* H. L., 1825, p. 532.

rich man only for the rich. A further advance is, when a man sympathizes with his *party*, whether political or religious, as this comprehends persons of all ranks in society. A still higher and rarer ascent is, when a man desires the good of the *whole civil community*, and when not only his words or his reason, but even his affections, are turned to the general weal. This last is what is termed *public spirit*. Lastly, a man may rise above exclusive patriotism, and may seek to promote the interests of *mankind at large*.

Now the Irish factions mark a state of feeling which has not yet made the first step, which has not risen from sympathy with one's clan, to sympathy with one's order. In a large part of the south and west of Ireland it often happens that, when a quarrel upon some trifling ground arises among the peasantry, two parties are formed in the neighbourhood, each of which assumes a distinctive name, and a feud is established between them,—which breaks out into open violence when they meet at fairs and markets. In these encounters they fight with as much fury as if they were waging a real war. The two parties hate one another with as hearty good-will as Athens hated Megara, or as Florence hated Pisa. Although the Whiteboys' union is for the protection of a class, there are hatreds among the factions contained in that class, just as vehement as the Whiteboys as a body bear against land-jobbers. There is, however, this difference, that the hatred of the Whiteboys against land-jobbers is cool and lasting, and leads to premeditated assassination; whereas the faction fights only occur when the blood is up, and the homicides occasioned by them are mostly unpremeditated. The following detailed statement of

Major Willcocks gives nearly all the requisite information on this subject.

"Speaking now of the south of Ireland alone; is not the love of fighting a very prominent feature in the character of the peasantry?—It has been very much so; faction fighting.

"Will you explain what you mean by faction fighting?—It very often arises in this sort of way, that at a fair, or at any public meeting, some of the peasantry get intoxicated, a quarrel ensues as I suppose between two individuals; one party prepares his friends and his faction to meet the other party, or some of them, at the next convenient place of public meeting, at a fair or market, and there they who have a strong faction attack this party, and beat and ill-treat them, and in some instances lives have been lost; that faction increases, the other party then recruits for the next place, and, at last, it becomes a most serious matter; almost the whole of the peasantry in a fair I have seen engaged in fights in this kind of way.

"To the amount of how many hundreds have you ever seen engaged in affrays of that kind?—I dare say, taking both sides, I have seen five or six hundred, or probably a thousand, but not in actual combat, because when it comes to that extent the other party retreats and get up upon hills, or some distant ground.

"You spoke of parties or factions; are the Committee right in supposing that all the peasantry have a particular name, suppose the Delaneys, the O'Briens, the O'Ryan's, or whatever particular name it may be, belong to one faction in a particular district of country, and that two or three other particular names may belong to another district of country?—Yes; if one of the Delaneys was beaten at a fair, he would recruit all his own friends to avenge it at the next fair.

"Will you state a little of the original cause of war upon these occasions; what may have excited, for instance, the Delaneys, the O'Briens, and the O'Ryan's to take up arms against each other in the way you have described?—It arises very often out of some family dispute or quarrel, as I have stated before, from intoxication.

* * * * *

" Can you explain the origin and nature of the Shanavists and Caravats?—I cannot.

" Can you explain the nature of their battles, and the extent to which they meet?—I have known them to meet in very large bodies.

" What number have you ever known engaged upon those occasions?—I have seen an entire fair engaged in it, for when they are fighting, I am almost astonished how they know those of each other's party.

" Do you know what the distinguishing circumstances are that determine whether a man is a Shanavist or a Caravat?—I do not; they have signs, but I do not know that they wear any public emblem; it originated, I am told (but it is merely from hearsay), something about a waistcoat and a neckcloth; the Caravat, I think, was some man that was executed. It is a very light and ridiculous story, that he threw his Caravat, meaning his cravat, when he was going to the place of execution, amongst the crowd that were near him, and some man appeared in a white waistcoat, that was opposed to that party, and from that they derived the names of Caravats and Shanavists.

" Was that the origin of both, as you have described, so far as you have been informed?—Certainly, it was the origin of the name; whether there were feuds continued amongst them before that, I cannot say, but they had that name long before I went into Tipperary.

" Did that particular feud last for several years?—It did.

" Is it extinct?—I think it was put down by the Insurrection Act.

" Were there many lives lost in the progress of it?—There were; I heard of fourteen being lost in one engagement, in the town of Gooldeen.

* * * *

" Will you explain to the Committee, or describe to the Committee, how the population are armed upon those occasions of fights and conflicts?—Mostly armed with short guns of a blunderbuss description, cut-down muskets we call them,

and pistols ; frequently old swords, that is the sort of description, for I have got, I dare say, in the course of my experience, one or two thousand.

“ The question was directed to the manner in which the population were armed in those conflicts that have been described at fairs.—That is the description of arms ; they go with them concealed under their great coats, they have them slung in a belt, and a large coat on, and buttoned up till it is necessary to use them ; unless you searched them you would not be apprised of their being armed.

“ Do you mean to inform the Committee that they have been armed in this manner to the amount of several hundreds ?—No ; I do not mean that every person that goes to those fights is armed with fire-arms, but those that have not fire-arms are armed with a sort of stick called a clogh alpine, that is a large stick, generally ash, pulled up out of the ground ; the young suckers, where there is part of the root, left to it, to make it have more weight at the striking end than the end which you hold in the hand : but I have seen other descriptions of sticks that they have had at fairs, with iron ferrels, and very frequently a part of the barrel of a musket, or the barrel of a gun, and this is studded all round with nails, to make it a most desperate weapon ; it would be more fatal, I think, than the blow of a sword.

“ What proportion of those engaged in fights of this kind are armed with the weapon you describe, and what proportion of fire-arms ?—An inconsiderable part with fire-arms.

“ Are the leaders generally armed with fire-arms ?—Yes, I think they are.

“ Are the leaders of those factions persons who have that distinction conceded to them on account of personal strength and activity, or from having more property and being in a more prominent station than those that follow them ?—I think they are chosen out of their own party as being the most active ; but I do not consider that many are engaged that are possessed of property. There are some of the farmers and farmers' sons engaged in them, but I do not consider them of any property.

"Have not you known persons engaged in them of the class of middling farmers, a head above the class of the lower peasantry, to give an influence among the peasantry?—There might be a dissolute person of the better class enlisted among them, that they would consider better qualified to direct their measures than a person in the same state of ignorance with themselves.

* * * * *

"Have you any reason to think that this disposition to fight at fairs is confined to the south of Ireland?—I think to the south and west; it is a good deal confined."—H. C., 1824, pp. 112-4.

John O'Driscoll, Esq., county of Cork.

"Is there any spirit of clanship in your neighbourhood?—Yes, a good deal.

"Do the people hold much by the head of their clan, do they feel considerable attachment and respect for him?—There are large clans, but very few heads of clans.

"Are there leaders of those clans?—There are leaders in the lower ranks of life.

"There are leaders of factions?—Yes.

* * * * *

"Of what class in life are the leaders of those clans?—They are generally farmers, or the sons of farmers."—H. C., 1824, p. 389.

Major Powell :—

"You stated that there was a considerable degree of clanship in Kilkenny?—Yes, there are two or three factions; they are termed factions there.

"Will you explain what you mean by faction?—A number of men assembled under a leader for the purpose of fighting; merely for the diversion of fighting, or settling some point under dispute.

"Do those feuds go by families?—Yes, they descend down from one generation to the other.

" More by families than by parishes?—Yes; a man is generally held up as being the leader of a faction; and from him it descends down to his son, if he is considered fit.

" More by personal connexion than by any local circumstance?—Both; it varies according to circumstances.

" Do you suppose that if those persons who compose the factions had regular employment, those battles would take place as much as they do?—We see in England that there are many men who are fond of the amusement of fighting, and the system of prize-fighting is kept up by others; and I think the leading men in those factions do it from a spirit of pride and vanity.

" They are generally land-owners, small occupiers of land? Yes."—H. L., 1824, p. 108.

The Rev. Mr. Costello, parish priest of Abington, in the county of Limerick, gives the following account of the factions in his neighbourhood:—

" What do you mean by the protection of a faction?—Through Ireland there have been factions from time to time, such as the Shanavist and Caravat, in the neighbourhood of Fethard; so there has been a faction called Caffees and the Ruskavallas in my neighbourhood.

" How many persons belong to such a faction?—It would be very hard to ascertain, for they have their party through the whole country.

" The whole country is divided, then, between the one and the other?—It has been heretofore; all that, I believe, is suppressed.

" Did the differences arise out of religious distinctions?—No, they were all Roman Catholics.

" Did they range themselves under particular magistrates?—It was supposed through the county that different magistrates had their partiality for one party or the other.

" Did the factions show their partiality for the magistrates by working as factions for them?—Yes.

" Do you know what objects those factions have in view?—

Either honour or revenge ; they commenced in an outrage, there was a man killed ; then in order to retaliate they endeavoured to kill some one of the opposite faction, and this went on till the exertions of the clergy suppressed the faction.

“ Did those factions consist of families or clans ?—Extensive families united to each other by consanguinity and relations of different kinds.

“ Certain names went on one side, and other names on the other ?—Yes ; Caffees and Ryans were the names of the persons engaged in the factions to which I have alluded ; the Ryans were called Ruskavallas.

“ Besides their relations, did not their friends sometimes join ?—Yes.

“ You said their object was honour ; in what way do you apply that word ?—I can hardly define what a person in such a situation of life as they were in would mean by honour ; but I should think it would be better expressed by pride ; they wished to be superior to the opposite party.

“ They wished to gain honour by fighting and conquest ?—Precisely so ; they were vain of their superiority in strength.

“ Do they frequently fight ?—They have repeatedly fought at the fairs and the race-course ; wherever, in fact, one party met the other.

“ In what numbers do they meet to fight ?—Sometimes three, four, five, or six hundred.

“ Are they ever armed ?—They have had arms at the race-course more than once, and at the fairs too.

“ Did not those battles often arise from no other cause than one party saying they were the strongest, and the other party saying they were the strongest ?—They originated often in the most trivial causes.

“ Was the system connected with the late insurrection in any way ; did they take a part as factions in those disturbances ?—By no means.

“ Do you think the system of factions is diminishing in the country ?—I think it is.”—H. C., 1825, pp. 418-9.

The following statement furnishes the details re-

specting the factions in the northern part of the county of Tipperary at the end of 1834.

FACTIONS frequenting FAIRS and MARKETS to fight, in the following Baronies of the county of Tipperary.

Barony of Owney and Arra.—Ruskavallas and Caffees; Dingens and Dawsons.

Upper Ormond, in the vicinity of Nenagh.—Bootashees, Bog-boys and the Tubbens.

Toomavara, five miles from Nenagh.—Cumminses and Darrigs.

Lower Ormond, from Burrisakane to the Shannon and Brusna River.—There are no particular designations for rioters in this district, the parishioners of Kilbarron are most celebrated for their turbulent disposition.

EXPLANATION.

Ruskavalla is a district near Newport: people named *Murnanes* reside there, and have a long standing quarrel without any rational foundation with the Caffees. The Dingens have taken their name from a hill near their different dwellings; they consisted of "Kennedys," "Ryans," and "Gleesans," of Kilmore, Ballinacclough, and Beneathen. The cause of the quarrel between those parties cannot be at present ascertained. The Dawsons are composed of "Breens and Seymours," all of Duharrow, assisted by the mob of Nenagh, and have taken that name in opposition to the party calling themselves Dingen. The cause of the quarrel between these parties is, a woman named Seymour died; she was married to a man named Gleesan, the Seymours wanted to have her buried in their native churchyard, this the Gleesans opposed, then a serious battle ensued, in which two men were killed and others severely wounded at different periods up to the present. The Bootashees are the O'Briens. A leader of their party appeared in boots, and all his followers had pieces of leather or other material wrapped around their legs, tied with thongs, from which they obtained the name of Bootashees.

The Bootashees mostly reside in Ballywilliam, and Carri-gatsher; the Tubbers and Bogboys opposed to them are "Kennedies and Hogans;" they reside in the parishes of Kilmore, Youghall, and Ballywilliam. The original cause of the quarrel was, that two small boys, one named Hogan and the other O'Brien, had been playing marbles; the boys quarrelled, and one knocked down the other, when men, relatives of both, interfered and struck each other. This happened about thirty years ago, and from that period to the present, the factions have continued fighting at fairs and markets, and other public meetings.

The Bogboys were those living in and near the lands of Cappaghroe and bogs of Tulla, about four miles from Nenagh.

The Cumminses are a numerous body of men residing in the mountains, between Toomevana and Borrisaleigh. The Darrigs are Kellies and Kilmartins, who mostly reside on the line of road between Kilcommon and Borrisaleigh; they took that name from a man named Kelly, a leader, who had red hair and a florid complexion; Darig signifies red.

At one time the local authorities encouraged faction-fighting: it seemed to them that the people must necessarily raise their hands against some one; and they thought that factions would serve the same purpose as the stone thrown by Cadmus among the earth-born warriors of Thebes, that of turning the violence of the combatants from themselves upon one another.

Major Willcocks:—

"Have you ever heard persons of respectability maintain that that sort of fighting at fairs ought rather to be encouraged than suppressed?—I think I have heard of one instance of a respectable person in the county of Limerick encouraging it, but in any other county I do not think I have.

"Was he a magistrate?—He was.

"Is it not considered rather a good sign in the country, that that is renewing?—Some people think it a good thing to set the lower classes at variance.

"Is it a matter of fact, that in the times of civil commotion,

when the minds of people are more particularly directed against the government, that these fightings are less frequent? I really think, that when we had reason to suppose that there might be something against the government, that those factions were very numerous; that all are sworn that if there was any thing to break out against the government, or against the state, that then they would all unite and be of one party.

"Are the fightings less frequent at those periods?—I think they are.

"Have you ever heard any gentlemen in the country say, that it was a good sign that people were fighting each other, for that then they would not attack them, or words to that effect?—I have heard gentlemen of the country say, and magistrates, that it was a good sign to see the lower classes at war with each other, for then it was not to be supposed that they were combining against the state.

"Have you known the civil force interfere upon those occasions at fairs, in order to put an end to commotion?—Very frequently; almost constantly.

"In what light do people consider that interference?—I do not think they like the interference; I think people, in many instances, do not wish to see that the magistrates, or people of that class in the country, were against them, or would take any steps to put them down."—H. C., 1824, p. 112, 13.

F. Blackburne, Esq. :—

"Do you happen to know whether that practice of fighting at fairs was formerly prevented, as it ought to have been, by the magistrates?—I am persuaded it was not.

"Since these disturbances have commenced in the country, fighting at fairs has been in a great measure discontinued?—I believe, generally speaking, the effect of general associations has been to discontinue the number of fights at fairs.

"Explain to the Committee the reason.—Because it reconciles and unites, in the pursuit of a common object, conflicting leaders, and the persons who generally engage in those affrays.

"Is the Committee to understand that the magistrates are now more active than formerly, in repressing disturbances at fairs?—I am convinced that they are."—H. C., 1824, p. 19.

Occasionally the magistrates appear to have favoured the faction-leaders from corrupt motives.

Rev. M. Collins, Parish Priest of Skibbereen :—

"Did the leaders of factions sometimes keep the magistrates on their side, for the purpose of protecting them from punishment?—Yes; I recollect in the year 1815, factions were very prevalent in that part of the county, and several murders were committed; the magistrates found it expedient to interfere, and there was a meeting for the purpose of disarming those who had arms, the common people who had arms in their hands; they had guns, and pistols, and swords. The magistrates collected in the arms from the leaders of those factions, and then the public thanks were passed to a certain magistrate for his activity on that occasion; yet I saw the leaders of those factions bringing away from the depôt of arms, swords that were given up, and flourishing the swords in their hands in consequence of the good terms on which they stood with the magistrate, by sending him potatoes and turf, and everything else necessary for the support of his house. I myself saw one of them flourishing a sword after getting it back: that man was afterwards found guilty of manslaughter in Cork; indeed I fear he was guilty of more than one murder at fairs. I know an instance in which, in consequence of fire-arms being in their hands, a murder was committed at the fair of Bawnlahan; and yet the persons guilty were allowed not merely to go armed to the fair, because they sent presents to magistrates, but because they sent presents to persons of rank, but in few cases; the same man who thus carried off the arms in triumph, through Skibbereen, some years afterwards committed a most atrocious murder in a fight; part of the people were running away, he overtook a man who fell prostrate, and he passed his bayonet through the man, and stuck it in the ground.

"How came he to have a bayonet, was he a yeoman?—

No, he was a common man; it was in consequence of the connivance of the magistrate.

"When you speak of factions, do you mean religious factions?—No; two armed parties of the country people; but they disturbed the public peace; they would be, from these habits, ready for any insurrection.

"Does that practice of fighting at fairs, and at places where they meet, prevail to as great an extent as it did?—No, the new system of police has put an end to that in a great measure."—H. C., 1824, p. 373.

John O'Driscoll, Esq. :—

"There have also been magistrates who have certain parties and clans in the county whom they support upon various occasions, whether they be right or wrong."

"Do you mean factions, the leaders of factions?—Factions.

"What is meant by the word factions?—Factions are numerous families who act together.

"Of what part of the county do you speak?—The part of the county of Cork to the south of Dunmanaway.

"The word factions does not imply any political association?—Not at all.

"Families forming into bodies?—Families forming into bodies; some of those fight at the fairs, in what they call parties or factions, and who often commit great enormities, relying upon the strength of their party.

"Are the people in the habit of giving those magistrates presents?—Yes; those people give presents, and perform various services."—H. C., 1824, p. 383.

The Rev. John Keily, parish priest of Mitchelstown, having stated that the people had formerly no confidence in the magistracy, is asked,—

"Were there any particular practices that justified the people in forming those opinions?—A great many; a magistrate sometimes took part with one faction, and another magistrate took part with another faction, and those clans or

factions were in the habit of depending upon the interest of the partizan magistrate, more than upon the law of the land.

"Did the people put themselves under the protection of particular magistrates?—They did formerly.

"Did they make any return to the magistrates for that protection?—Most certainly they did; they gave them labour sometimes, sometimes presents, but those things have not fallen much under my observation within the last six or seven years.

"Have you ever known any leaders of factions to produce a great many labourers?—Very often.

"Do not those evils arise rather from the division of the country into a kind of clans than from other motives?—Most certainly; the spirit of clanship was carried to a very great extent in Ireland, I mean by clanship factions for fighting and carrying the objects of a particular family or a particular set of persons in the country. I do not know whether this originated in the expectation that they could act with impunity, or whether the favour of the magistrates was subsequent to the formation of the clans, I cannot sufficiently distinguish.

"Do not you think that the principle upon which clans are formed, is that the lower orders owe service for the protection which the head of the clan gives them?—No, I do not think it is carried to that extent in Ireland; I do not think any magistrate is the head of a clan, I have not known it within my knowledge."—H. C., 1825, p. 397-8.

Since the institution of the police in Ireland*, the

* The following is an account of the strength of the police in Ireland, in March, 1835.

	Number of Constables and Sub-Constables.
Constabulary . . .	7123
Peace Preservation . . .	597
Total	7720

The number of the military in Ireland at the same time was under 20,000. The standing army of France is certainly not over-rated at 400,000 men: so if the population of France is taken in round numbers at 32,000,000, and of Ireland at 8,000,000, there would be 1 soldier to

faction-fights have been a good deal checked, though they still prevail to a considerable extent; and in many parts of Munster the opposite parties fight not with sticks but with stones, a far deadlier weapon, and one often used with fatal effect. The policy which led the magistrates formerly to countenance faction-fighting was not only unprincipled, but also short-sighted; it is clear that this practice trains up a set of lawless and violent persons, accustomed to deeds of bloodshed, and priding themselves on their acts of brutal ferocity. Such men as these would only want the opportunity afforded by a season of disturbance to signalize themselves in more organized violence, and to be the leaders or actors in every outrage which the Whiteboy spirit might suggest.

“The habit of fighting at fairs and of fighting under the command of captains (says Mr. Blackburne) have produced on the minds of the lower orders the most mischievous notions of their own power. It gives them discipline, and it gives them leaders, and it certainly habituates them to acts of the most atrocious cruelty.”—H. C., 1824, p. 18.

The manner in which factions pass into Whiteboy associations is explained as follows by Mr. John Bray:—

“What, in your opinion, is it they seek to obtain by this system of violation of the law and outrage?—I imagine that the association comes into existence in this way: the Irish are a revengeful people, and they have private quarrels as well as other people; they gratify their passions for revenge generally at public fairs and meetings, they fight there, and decide their differences; and some evil-disposed persons joining them to make a faction, they then feel that there is an obligation upon

every 80 persons in France, and to every 400 persons in Ireland: that is, the number of soldiers in France is proportionally five times greater than in Ireland.

them to join with this faction that has taken their part at the fairs, and having once formed themselves into a body, they feel they have the power to be mischievous, and under the presence of regulating wages and all those things, they go on to do what they please."—H. C., 1832, No. 3462.

At the same time it is to be observed that, although factions minister to disturbances, the two evils are not co-extensive. The King's and Queen's Counties have been seriously disturbed during the last five years; but the faction-spirit does not prevail to any great degree in these comparatively civilized parts of the country. On the other hand, Kerry, a wilder and ruder district, has been, on the whole, very free from outrage; but the clannish spirit which belongs to an uncivilized state of society exists in it to a great extent. About two years ago, there was a fight between two rival factions in the neighbourhood of Listowel in Kerry, in which large numbers were engaged, and in which several persons, including some women, were killed with circumstances of great atrocity.

It may, however, be added that the existence of factions has contributed to favour the crime of *abduction of unmarried women*, which is viewed by the peasantry as a kind of Whiteboy offence. This crime is usually committed as follows: a party of men go by night to the house of the young woman, who is generally a farmer's daughter, with a small fortune, and somewhat above the rank of the intended husband; carry her away by force, and on horseback; and lodge her in some hiding place with the man who intends that she should be his wife. Sometimes the parties are married forthwith; sometimes a communication is made to the father that the man is willing to marry the girl, if her fortune is paid. The father, therefore, finding himself

compelled either to sanction the marriage, or to take back his daughter in an impaired state, usually adopts the former alternative. In every case these abductions, which are sometimes collusive, arise from an interested motive. Their frequency was at one time so great in parts of Ireland as to affect the marrying habits of the population.

Rev. M. Duggan, P.P. of Moyferta, county of Clare.

"Have you known any instances of abduction where the women had no property?—I have not.

"Then if that be so, how do you account for the system of abduction increasing the numbers of marriages among the lower orders of people?—All those under my observation are of the lower orders, with few exceptions, and who in general had a little money in former years; the facility with which the crime of abduction and an attempt at it, escaped punishment, created apprehension in the body of the people for their daughters, and induced them to dispose of them in marriage before they were hardly arrived at the age of puberty; the practice of marrying young became general, and a subject of imitation, and settled into a fashion, so much so, that it was a reproach on a young girl to exceed twenty before she was married."—H. C., 1824, p. 210.

Abductions of this kind, which in Ireland were at one time not unknown among a higher class than the peasants, have, however, become less frequent of late years*.

* The following description of the condition of the State of the church, at the end of the sixteenth century, affords an example of a state of society in which the clannish spirit is still prevalent among the peasantry. The Scottish clans offer a less precise parallel, as they included the highest as well as the lowest.

"There were still, in some places, especially in Romagna, independent communities of peasants. These were large clans, supposed to be descended from a common stock; lords in their own villages, all armed, well-trained in the use of the arquebuss, for the most part half-savage. . . . They connected themselves with the different factions in

the State of the church. The Cavina, Scarboeci, and Solaroli were Ghibellines; the Manbelli, Cerroni, and Serra were Guelfs. The Serra had in their country a hill which served as a kind of asylum for those who had committed any crime. The most powerful of all were the Cerroni, who also reached over the frontier into the Florentine territory. This clan had split into two branches, Rinaldi and Ravagli, who, in spite of their affinity, were in a state of constant feud. They were in a kind of hereditary connexion not only with the chief families of the cities, but also with jurists, who supported one or the other faction in their litigations. In the whole of Romagna there was no family so powerful that it could not have been easily harmed by these peasants. The Venetians always had an officer among them in order to be sure of their assistance in case of war."—*Ranke's Römischen Päpste*, vol. i., p. 391.

CHAPTER V.

EFFECTS OF IRISH DISTURBANCES.

HAVING now explained the character and objects of the local disturbances in Ireland, and the means by which those objects are sought to be attained, it remains to state briefly what are the effects which the operation of this system produces on the several classes of the community who are affected by it.

The existence of a perpetual warfare of the poorer against the upper classes, of tenants against landlords, naturally tends to alienate each class from the other, and to widen and perpetuate the separation which originally caused it. The gentlemen, finding themselves the objects of constant hostility on the part of the peasantry, cannot avoid feeling towards them that distrust and dislike which must grow out of the consciousness of their position. A landowner in a county where the Whiteboy spirit prevails knows that he owes his security only to his means of defence, and sees in every peasant, even in his own labourers, a concealed or a future enemy. The Irish landlords have been often accused of harshness and unkindness to the poor : but so long as the present system prevails, and that they are unable to change it, can we wonder that persons, with the feelings and failings of men, should fall short of the gospel-rule of loving their enemies ?

“ Whoever (says Chief Justice Bushe) confines his estimate of the consequences of such a confederacy to the mere out-

rages and crimes it produces, has, I fear, but superficially examined the subject. Such consequences may be occasional and transient, but the moral influence upon society of such a diseased state of human character must be deep and permanent.—the bad passions let loose, the charities of life extinct, those relations dissevered which between the higher and lower classes are the offspring of reciprocal protection and dependence—confidence displaced by suspicion, and fear and hatred in all classes, vitiating and corroding the heart of man :—these are productive seeds which threaten a fearful growth, and if the mischief be not put down, every reflecting man will look forward to the necessary influence of such a state of things upon the future destinies of Ireland, as operating far beyond the local disturbances of a provincial district *.”

The peasantry, on the other hand, experience all the pernicious moral influence which arises from using bad means to accomplish what is considered a good end, and are depraved and even brutalized by the sanguinary and atrocious practices, the cool-blooded assassinations, the mutilations, the beatings, and the burnings, to which they have recourse in order to enforce their law. Many people have wondered at the singular and apparently wanton cruelty which characterizes the Irish crimes: the killing of children, the cutting out of tongues, the mutilation of ears and noses, the cardings and severe beatings, and the shocking maimings of animals, all these betoken a mind thoroughly reckless about the infliction of pain †.

* Maryborough Special Commission, p. 5.

† Colonel Verner, in his evidence before the Committee on Orange Lodges, in 1835, gives an account of a celebrated outrage committed in 1791, on one of a Protestant colony, founded at Forkhill, in the county of Armagh. “In the attempt to establish this colony (he says) the persons who came to reside there were frequently threatened by the Roman Catholics, and told that they should not come into that part of the country. One of the schoolmasters had also been frequently threatened.

"In offering an opinion on the state of Ireland (says Sir Hussey Vivian) there is one thing I should wish to notice, and that is the extraordinary carelessness of human life amongst the lower classes. I have endeavoured, as far as possible, to find out whence it arises that men who appear so kind in their dispositions, so grateful for any little kindness bestowed upon them, as the lower class of Irish generally are, should exhibit such little apparent reluctance to destroy their fellow-creatures. I have asked the Catholic clergy; I have expressed my astonishment that they who have such power and influence over the minds of the lower classes, do not prevent it; but neither they nor others I have spoken to on the subject pretend to account for it. It is a very striking circumstance in Ireland, that a disturbance scarcely ever arises but you hear of the loss of life; and during the whole of the disturbances in England (I mean no invidious comparison) there was but one instance in which a hand was raised against an individual: it is a matter well worthy of the consideration of those who would civilize and tranquillize Ireland, to ascertain whence arises this extraordinary difference."—H. C., 1832, No. 1475.

It is, unfortunately, far easier to account for this disposition of the Irish peasantry than to remove it. Their indifference to the sufferings of which they are the cause, arises from the consciousness that their conduct will be approved by their own class: that public

One evening his house was entered; I am not sure whether the door was forced, or if he opened it at the desire of a neighbour; a body of men came in. The man, aware from their threats what their object was, concealed his wife in the bed curtains. They threw him down, put a cord round his neck and forced his tongue out, which they cut off, and then cut off the joints of his fingers, joint by joint; his unfortunate wife screamed out; they took her and cut off with a blunt instrument the joints of her fingers: they then cut off her breasts, seized her son, a boy of thirteen years old, cut out his tongue, and cut the calves of his legs. The unfortunate man asked if he had ever injured them; they replied not; but this was the beginning of what all his sort might expect. I knew the boy afterwards; he lived for some years on my property, and was a yeoman in the corps which my father commanded." (No. 36.)

opinion, so far as they come in contact with it, is in their favour. A man who murders for his own gain must make up his mind to general execration, if he is detected: he must be prepared (like Bishop and Williams, the murderers of the Italian boy) to die on the scaffold, in the midst of the yells and curses of the lowest of the populace. But a Whiteboy who carries into effect the wishes of his own order, who executes a law of opinion, has nothing to fear but the power of the magistrate: he knows that the sharper the pain which he inflicts, the louder and more general will be the approbation of his fellows. Nothing is more common than to see how persons, when acting as members of a body, will throw off those moral restraints by which they are habitually governed in their *individual* capacity. Not only does this arise from the consciousness of power, every member of a body (as Thucydides has remarked) thinking himself worth more than an unit: but also from the anticipation of support from his party, and the absence of the check of general reprobation. Hence we have seen that aristocracies have, in their collective capacity, perpetrated acts from which individuals among them would have shrunk with horror; hence we see that, in mobs, people mutually encourage and urge on one another into excesses which they would never have coolly planned as isolated individuals. That the difference between England and Ireland, in regard to the carelessness of human life, arises not so much from the nature of the people as from the difference of the circumstances in which they are placed, appears from the fact that, when in England the opinion of a large body has been in favour of atrocious crime, atrocious crimes have been committed. Of this the outrages

perpetrated by the 'Trades' Unions afford a sufficient proof: the murder of Mr. Ashton, in Cheshire, by two men who were hired by the 'Trades' Union and received ten pounds for killing him, is equal in atrocity to almost any Irish murder: and the rick-burnings in the south and east of England show how far a system of deliberate crime will spread when there is a real grievance to justify it.

Another evil effect of the Whiteboy system, as respects the character of the peasantry, is its liability to pass from a voluntary penal system with a limited and defined object, into an open insurrection, into a state of general licence and outrage (such as was described above, as having existed a few years ago in Clare), in which the people are exposed to the frightfully demoralizing influence of an absence of all temporal and legal sanctions: of all check except that derived from the fear of punishment in a future state. When it is considered how often the Irish peasant has been exposed to these periodical suspensions of government, it is more remarkable that his general morality should be so high as it is, than that it should not be higher.

Viewing the Whiteboy system in the light most favourable to the Whiteboys themselves; considering it (as we have just called it) to be a *voluntary penal system*, we must admit that, taken as a system of punishment it is one of the worst ever contrived by the head or executed by the hand of man. It is liable to all those objections which have been urged by enlightened reformers against the criminal law of different states. It is unnecessarily severe in its penalties: it inflicts death in the most unsparing manner: it uses bad punishments, such as bodily mutilation: it punishes the in-

nocent, as where it wounds a man through his relations : it strikes the weak and spares the strong : it is unequal ; it is uncertain ; it is capricious ; it is vindictive. Moreover, it has a bad quality peculiar to itself, and shared by no legal penal system, not even in the rudest and most barbarous times, viz., the destruction of property which it occasions. Governments inflict pain by imprisonment or exile, but as the Whiteboys cannot imprison or banish, they inflict pain by injuring men's property. Hence their penal system is wasteful and expensive beyond any other, inasmuch as it ravages the country like an invading army. Mr. De la Cour, of the county of Cork, being asked whether the destruction of property had not been a great object in the disturbances, answers :—

“ The destruction of property has been very considerable ; and upon that subject perhaps there is scarcely any better evidence than myself, because I have been the person to pay the amount of the several presentments which have been made as compensations for them in our country*.”

On the whole, the amount of evil inflicted is quite incommensurate with the good sought to be conferred by the system. Pain (to use Mr. Bentham's expression) has been wasted in the most lavish manner. Its effects are felt by the good as well as by the bad landlord ; and they fall with their full weight on the head of the quiet and hardworking peasant.

“ Although an extensive perusal of the reports of the chief constables (says Lord Oxmantown, in a letter already quoted) will exhibit to you a picture of society, perhaps without parallel in any civilized country not in open insurrection, still it will convey but an inadequate idea of the sufferings of the indus-

* H. C., 1825, p. 553.

trious peasantry in this state of anarchy. To be enabled to judge of it, you must make your inquiries on the spot; you must hear the tale from themselves. Living in a state of perpetual anxiety, their lives are wretched indeed. Under such circumstances can we wonder at the statement of the magistrates assembled at Belmont sessions, to the effect that numbers of the respectable peasantry were seeking refuge from this state of things in America." "It would be right (he also says) that the utmost attention should be paid to patrolling, were it only for the purpose of showing to the peaceable inhabitants of a disturbed district that the country was not in undisputed possession of these armed gangs. Any measure calculated to give them confidence must be most valuable. No one can form an adequate conception of their apprehensions, and the amount of positive misery arising from it, who has not conversed with them himself. While the outrages, numerous as they are, affect but a limited portion of the population, the evil I have alluded to extends to all*."

The state of apprehension among the peasantry lest they should be visited by the Whiteboys, however miserable, is less painful than that which prevails among the guilty, when nearly the whole population has been implicated, and the reign of the law is restored. Even the habitual hatred of an informer is then scarcely strong enough to repress the disposition to purchase safety by becoming a witness for the crown.

"My Lords, (says the Attorney-General in addressing the court, at the close of the Clare Special Commission,) the first and almost the immediate effect of these convictions was to scatter distrust over every part of the illegal associations that overran the country—every man, conscious of his own guilt, and knowing it to be in the power of his associates to betray him, is kept

* Papers relating to the State of Ireland, 1834, p. 19, 20.

in a state of perpetual alarm and fear. There is scarcely a guilty man in the county of Clare, who is not deliberating whether he will not inform on his guilty associates—whether he will not run a race with them, and combine to be the first to give evidence to the Crown. The consequence of this state of distrust and fear is, that multitudes desert their houses and ordinary occupations, and skulk about the country, scarcely daring to appear by day, or to sleep under a roof by night. This, as I am informed, is the condition of a large portion of the population of this country. It is the natural consequence of crime, which, if persevered in, must involve them in ruin. Recollect how often has it been said in this court, that no man could trust with safety to his associate in guilt. This is now felt and acknowledged universally.—Two days ago, we saw this truth exemplified on that table. Men who had been united by what was deemed the strongest of all possible ties—men associated in crime, and bound to go hand in hand in the work of spoliation and murder, we saw coming forward, and to save their own lives, without hesitation or compulsion, giving evidence against their guilty associates. After this, am I not right in saying, that as certainly as such men trust each other, so surely will they be betrayed. You are not aware, but it is the fact, (I shudder when I speak of it,) that I could have indicted a brother on the testimony of a brother, who was ready to give that testimony, in order to save his own life. This could have been done, but it would have outraged the laws of nature and humanity, and I, therefore, spurned the man who thus volunteered to take away the life of his own brother. But when we find a brother willing to violate the strongest ties of nature and affection—when we find such ties yield to the love of life—let me ask, if a brother cannot be trusted, who can*?"

It may indeed be thought a waste of words to dwell on the evil effects of a system, which not only exists in

* Limerick and Clare Special Commission, pp. 216, 217.

defiance of the law, but is intended to supersede and overbear the law, and which is carried on by means of the most atrocious outrages. But illegal systems may exist and flourish, which do not, like Whiteboyism, affect the whole frame and composition of society. For example, smuggling is an illegal system, supported by violence, constantly rising up against the attempts of government to suppress it, and necessitating the maintenance of a separate military and naval establishment in order to contend with it. But smuggling might exist, and even in a considerable degree, for centuries, without producing worse effects than the loss of a certain portion of revenue, and the demoralizing of a certain small number of persons on the coasts, where the illicit traffic prevails. With Whiteboyism, however, it is far otherwise. This system pervades the whole society; it sets the rich against the poor, it sets the poor against the rich; it constantly actuates the whole agricultural population in their most ordinary dealings; it causes sleepless nights and anxious days to those who do not individually feel the weight of its vengeance. ¶ It is not the banding together of a few outcasts, who betake themselves to illegal courses, and prey on the rest of the community; but the deliberate association of the peasantry, seeking by cruel outrage to insure themselves against the risk of utter destitution and abandonment. Its influence, therefore, even when unseen, is general: it is, in fact, the mould into which Irish society is cast; the expression of the wants and feelings of the great mass of the community. So far as it is successful, it is an abrogation of the existing law, and an abolition of the existing govern-

ment ; for which it substitutes a dominion, beneficial apparently in its immediate consequences to the peasantry, but arbitrary, capricious, violent, unprincipled, and sanguinary, oppressive of the upper, and corruptive of the lower classes, and in the long run most pernicious to the entire society.

CHAPTER VI.

SUGGESTIONS OF A REMEDY FOR IRISH
DISTURBANCES.

WE have now, by means of copious and authentic testimony, exhibited the whole scheme of Irish Whiteboyism ; we have described the spirit which moves it, the form which it assumes, the measures which it adopts, and the effects which it produces. We have likewise traced the Whiteboy disposition to its source, and proved, by unimpeachable evidence, that it springs from the peculiar state of the peasantry which makes the possession of land a necessary of life. Having shown that the Irish disturbances have this origin, it is needless to say that there is no prospect of suppressing them by the fear of punishment, so long as the same causes continue in force. All species of legal severity, compatible with our form of government and our state of civilization, have been tried and have failed. *Pœnarum exhaustum satis est**. Upon men who have nothing to hope in their actual state, and little to fear from the consequences of crime, it is vain to attempt to work with the ordinary engines of government. What influence can a ruler exercise on a man who despairs of being better, and yet can scarcely be worse ? who has nothing to gain by obey-

* " Till some step is taken in favour of tillage and the poor (said Dr. Campbell in 1775), Whiteboyism will probably remain, in defiance of all the severities which the legislative power can devise, or the executive inflict."—*Philosophical Survey*, p. 313.

ing the law, and nothing to lose by disobeying it ? " When the heart is past hope (says the proverb), the face is past shame*." As well might we endeavour to resuscitate a corpse by administering medicine to it, as attempt, by offering a vain protection, or threatening a vain punishment, to work upon people so dead to motives upon which the very existence of government is founded. But even if coercive measures had been more successful than they have proved,—if the law of the state had waged a more prosperous war with the law of the Whiteboy, it would be advisable to remove, as far as possible, the motive and tendency to disturbance. Without a criminal law a state could not exist ; but the less reliance that is placed on this ultimate sanction, the sounder is the condition of the society. It is most expedient that diseases should be cured, when they exist, even by means of the most painful remedies, and the most torturing surgical operations ; but it is far better to prevent the existence of a malady which necessitates such modes of treatment.

In order to ascertain what plan of prevention offers the best chance of success, or (rather it should be said) is exposed to the fewest chances of failure, it will be desirable to give a succinct view of the present state of the poorer class in Ireland, of that class by whom, and for whose benefit these disturbances are carried on.

In Ireland there is no legal provision for the poor ; so that whenever a person is unable from any cause to maintain himself, or to obtain a maintenance from his relations, he is forced to have recourse to *mendicancy*. The causes which drive persons to mendicancy are

* " Chi non spera il bene, non teme il male."—MACHIAVEL.

sometimes permanent,—as old age, widowhood, or bodily infirmity: sometimes they are only temporary,—as sickness, or want of employment. The following classes of persons, who constantly rely on begging for their subsistence, may be traced in the evidence on Vagrancy, recently published by the Irish Poor Commission:—

1. Wandering beggars, who go from fair to fair, and stand at chapel and church doors, and other places of public resort. They are chiefly cripples, blind, maimed, deformed, men with sore legs, or other ailments calculated to excite compassion. These persons are clamorous and importunate, have regular set phrases, often are abusive, and expect alms to be given them in money. In some cases they are impostors, and they often practise deceptive means to excite compassion: their habits, likewise, are in general dissolute. Mendicants of this description are known by the Irish name of *boccahs*.

2. Professional strolling beggars, who have no fixed domicile, and live constantly by mendicancy. Some of these call themselves mechanics out of work; chiefly, however, they are not able-bodied, but old persons, sometimes with children. This class is not numerous.

3. Town-beggars, who live by mendicancy, but have a fixed domicile. They are chiefly old men and women past labour; widows with families; and sometimes able-bodied girls from sixteen to nineteen years of age. Those who cannot walk are relieved entirely by the shopkeepers; those who can walk by the shopkeepers and farmers in the neighbourhood. They are generally known by those who relieve them, and their character is not on the whole very bad.

4. Poor housekeepers, who are relieved by three or four neighbours, to whom their wants are known, but who would not resort to general begging. The *letter-writers* belong to this class ; persons who occasionally present written petitions to the gentry in cases of peculiar distress and suffering.

The persons composing these classes are the most suffering and destitute of the population ; they are the outcasts of society, feeble and helpless ; there are few able-bodied men among them, and those few take no part in Whiteboy disturbances. In the summer, however, when the stock of old potatoes is exhausted, and the new year's crop is not yet fit for food, the country is covered with swarms of occasional mendicants, being labourers' wives and families, who go about from one farmer's house to another, frequently to a considerable distance from their homes, in order to collect potatoes. When the immediate pressure is over, they cease to beg, which they consider as a disgrace, and to which they are only driven by necessity. The father sometimes joins his family at certain places, but rarely begs in company with them.

This mendicancy of the wives and children of a large part of the agricultural labourers arises from the redundancy of the labouring population, and the consequent want of employment for them. The excess of the number of labourers beyond the demand for their services affects their condition in two ways : first, by keeping their wages *at a low rate*, and secondly, by making their employment *uncertain and irregular*. The ordinary rate of labourers' wages over a large part of Ireland is 10*d.* or 8*d.* a-day, in some cases even as low as 6*d.* This rate of wages, however,

though low as compared with the English rates, does not afford the true explanation of the destitute state of the Irish peasant; his habits are so abstemious, he has learnt to live so hard a life, that in general he would consider himself in tolerable prosperity, if he could during the fifty-two weeks of the year earn 4*s.* a week. It is not the *low rate of wages*, but the *inconstancy of employment* which depresses the Irish labourer, and sends his family begging through the country during the summer months; which makes him dependent on his potato-ground, and thus sets all his sympathies on the side of Whiteboyism. We should probably exceed the truth if we said that a third part of the Irish labouring population were employed all the year round. The remaining two-thirds obtain work at the seasons of extraordinary demand, viz., at the potato-digging, and during the harvest. At other times of the year they trust to the produce of their own potato-ground for food, whether they rent a small piece of land permanently, or temporarily in the form of conacre. It is this irregularity of employment for hire, and not the low rate of his wages, which is the true cause both of the poverty and turbulence of the Irish peasant. If every labourer in Ireland could earn 8*d.* a day for 310 days in the year, we should probably never hear of Whiteboy disturbances. It is the impossibility of living by wages, which throws him upon the land*: it is the liability of being ejected from the

* "Mr. Sheehan states that many persons, having nothing to look to but the possession of land for subsistence, are induced to bid inordinate rents far beyond what they will ever be enabled to pay. The desperate competition makes men ready to grasp at farms on any terms, and landlords, who are frequently in great want of money, are blinded to their own interests by the temptation of a larger offer. This system is injurious

land and the consciousness that he has no other resource, which makes him a Whiteboy. If the Irish peasant was as utterly reckless and improvident as he is said to be, he would not commit crimes in order to protect the occupant of the soil: he would not see that his own interest was bound up with that of his class in preventing the ejection of tenants. It is his foresight which prompts him to crime: it is his wish to obtain some guarantee for his future subsistence which drives him to Whiteboy outrage. In these disturbances it is not a question of more or less gain: his very existence is at stake.

*Neque enim levia aut ludicra petuntur
Præmia, sed Turni de vitâ et sanguine certant.*

It is well known that the soil of Europe after the invasion of the Germanic races, and the abolition of the Roman system of slavery, was for many ages cultivated by serfs or villeins, who lived in houses of their own, and raised from the soil the means of subsistence for themselves and families, but were bound to perform any service required by their lord. By degrees, however, these services were commuted for a rent, and the villeins were enfranchised. Their passage from the servile to the free state appears nevertheless to have

to all parties. Adventurers take farms, and after a single season disappear without paying any rent; those who remain are driven into over-cropping. They make every effort to obtain a sufficient return for the present season; permanent improvement is lost sight of; the land is insufficiently manured, and is every year deteriorated; hedges and fences are broken down, and houses suffered to fall into a state of dilapidation from an inability or an unwillingness to go to the expense of repairs."—Report of Irish Poor Commission, Appendix A., p. 428. It may be observed, that if an Irish landlord resist the temptation of a high offer, and lets his land at what he considers a fair rent, he often creates a set of intermediate tenants, who make a profit rent, by subletting the ground to persons who live in the extreme of misery.

been gradual; and the mode of cultivating the soil in large divisions by means of paid labourers was slowly introduced. The free peasant still continued to cultivate a small portion of ground for the support of himself and family, and to render occasional services to his landlord, who allowed for the work so done at a low rate of wages in settling with him for the rent of his land. The peasants of England probably passed out of this state of quasi-villenage in the sixteenth century*; and the troubles in Edward the VIth's reign may be viewed as a symptom of the transition†; but in

* On the advantages resulting from the decay of cottiers in Elizabeth's reign, see Eden's *History of the Poor*, vol. i., p. 115. And for the improvement of farmers in the course of the sixteenth century, *ib.*, pp. 119, 20.

† Strype, *Ecclesiastical Memorials*, B. i., C. 21, says, "The causes of these disturbances were divers and sundry. Some were papists, and required the restoration of their old religion. Some were anabaptists and libertines, and would have all things common. And a third sort of mutineers were certain poor men that sought to have their commons again by force and power taken from them, and that a regulation might be made according to law of arable lands turned into pasture, and desired a redress of the great dearth, and abatement of the price of victuals." "As for inclosures (he continues) they were not now newly begun, but three-score years before pastures were inclosed, and they and their fathers hitherto had lived quietly under them." He then proceeds to say of the inclosers that they "were great graziers and sheepmasters that ceased tilling the ground and sowing of corn, pulling down houses, and destroying whole towns, that so they might have the more land for grazing, and the less charge of poor tenants who had dependence on them, as their plowmen and husbandmen. Whereby the poor countrymen being driven to great poverty, began thus to show their discontents." Statements will be found with respect to the ejection of tenants and the demolition of cottages in the document printed in Strype's *Repository*, Q. "Depopulation (says Harrison in his *Description of England*, p. 193) is growing by incroaching and joining of house to house, and laying land to land, whereby the inhabitants of many places of our country are devoured and eaten up, and their houses either altogether pulled down or suffered to decay by little and little." It is clear, however, that this destruction of houses arose not from depopulation, but from a change in the mode of cultivating the soil; nobody can suppose that the general prosperity and

Scotland the agricultural population was chiefly in this condition during the last century.

"There still subsists, in many parts of Scotland, (says Adam Smith, about 1775,) a set of people called cotters or cottagers, though they were more frequent some years ago than they are now. They are a sort of out-servants of the landlords and farmers. The usual reward which they receive from their masters is a house, a small garden for pot-herbs, as much grass as will feed a cow, and perhaps an acre or two of bad arable land. When their master has occasion for their labour, he gives them besides two pecks of oatmeal a week, worth about 16*d.* sterling. During a great part of the year he has little or no occasion for their labour, and the cultivation of their own little possession is not sufficient to occupy the time which is left at their own disposal. When such occupiers were more numerous than they are at present, they are said to have been willing to give their spare time for a very small recompense to any body, and to have wrought for less wages than other labourers. In ancient times they seem to have been common all over Europe. In countries ill cultivated and worse inhabited, the greater part of landlords and farmers could not otherwise provide themselves with the extraordinary number of hands which country labour requires at certain seasons. The daily or weekly recompense which such labourers occasionally received from their masters was evidently not the whole price of their labour. Their small tenement made a considerable part of it*."

The Irish cottier tenant is in a similar condition. Personally free, he nevertheless exchanges his labour for a bare subsistence; like the serf whose master furnished him with the means of living, at the same time

population of the kingdom did not increase during Elizabeth's reign. On the harmlessness of inclosures there is a passage of a political dialogue published in 1581, cited in Eden's *Hist. of the Poor*, vol. I., p. 109.

* *Wealth of Nations*, B. I., Ch. 10, Part 1, near the end.

that he obtained the benefit of his services without payment.

“ It startles an English ear (says Mr. Weale in his Report on the Experimental Improvements on some Crown Lands in the county of Cork) to be told that there remain at this day, within the limits of the United Kingdom, in the cultivable mountains and wastes of Ireland, an immense and increasing population in a state of villeinage, dependent on the will of their respective lords for the very means of existence, and who contribute nothing to the revenues of the state, either by direct taxation, or indirectly as consumers of commodities on which an impost has been levied; whose condition differs in no substantial particular, as regards them personally, from that of the villein in early feudal times; who are not permitted to appropriate to their own use any portion of the fruits of their labour, which is convertible into saleable produce at the nearest adjacent markets; and multitudes of whom, to maintain a tenure of the mere means of existence, are yearly compelled to migrate to other districts, and there labour for the coin they are required to render to their mesne lords, as a compensation for those corporal services which the ancient villein was bound to render to his lord, but which would be of no available advantage to the modern landlord, whether he be the owner in fee, or that owner's lessee of the lands; since, by their desertion from the country, and the security which the Government provides against a violent usurpation of their territories, they have neither demesnes to cultivate, nor occasion to marshal vassals in their personal defence.

“ And yet, with reference to many extensive districts in Ireland, especially in the provinces of Connaught and Munster, and in some counties of Leinster, it will be found on careful investigation that this description is not overcharged. Even the partial ameliorations in the condition of the old native population which may now be traced in some of those districts, have all originated within the last thirty years, and are rather the results of an actual interposition of government, than of

any active exertions on the part of the proprietors of the soil."
—pp. 59, 60.

Afterwards in explaining the means by which an improvement in the system of managing the crown lands may be effected, he says :—

"In the first place, it is proposed to provide constant employment for the entire population in the execution of works on the estate; and to pay to every man, woman, or child so employed the full current value of their labour in MONEY WAGES.

"This last proposition involves an essential departure from the ordinary practice of the country. There has always been a very imperfect circulation of money in Ireland; and, to supply that deficiency, it has become a custom to barter the rent of land for labour. Many of the evil consequences of that custom are too well known to require further notice of them; but the custom itself has subsisted beyond the necessity in which it originated, and it is still adhered to by all classes, and even by those who are capable of appreciating its evil influence."—p. 61.

The same characteristic of the mode of life of the Irish peasant was remarked by Arthur Young :—

"Relative to the cotter system, wherever it is found (he says), it may be observed that the recompense for labour is *the means of living*. In England these are dispensed in money, but in Ireland in land or commodities. In the former country paying the poor with anything but money has been found so oppressive, that various and repeated statutes have been made to prohibit it. Is it to be considered in the same light in Ireland? This is a question which involves many considerations. First, let me remark that the two modes of payment prohibited in England, but common in Ireland, are not exactly the same, though upon similar principles. In England, it is the payment of manufacturing labourers in necessities, as bread,

candles, soap, &c.* In Ireland, it is a quantity of land for the support of a labourer a year †."

The transition from the state of a *villein* to that of a *free labourer* cannot be considered as fully effected until the peasant is able to live on wages, without cultivating his own land, and until his wages are regularly paid to him in money. The essential mark of a villein is that he gains nothing by his work ‡: although he may live in a separate house, contract a legal marriage, rear a family, have the use of land, and even though he may be only bound to perform certain specified services, yet he never receives any remuneration from his lord. Now a cottier who rents a cabin and a small piece of ground, and who works for his landlord upon an agreement that the wages are to be set off against the rent, is virtually in the same condition as a villein, if his annual wages never exceed his annual rent, and if in fact he never receives nor can hope to receive anything §. His *person* may be free, but he can no more

* What is now called the *truck system*.

† Tour in Ireland, Part ii. p. 22.

‡ Grimm *Deutsche Rechtsalterthümer*, p. 350—8.

§ Castle Hyde, county of Cork. "Mr. Hyde complains that it is difficult to hold tenants to occupancy, as juries and even judges set their faces against it. The former, who holds from five to fifty acres, thrives in consequence of the rise of the times, and is never under the necessity of paying anything for labour. The cottier tenant hires a cabin, the worst in the country, with a small patch of potato land, at a rent of thirty shillings per annum. He also agrees for the keep of a collop, or half a collop, which is still lower. At the same time he works for his landlord at the small wages of five pence per day: but when he comes to settle, he receives nothing, as the food of his few sheep is set off against what he charges for labour. In this manner the poor cottier must toil without end; while his family eats up the produce of the small spot of land he has hired. This is called by the lower classes of the Irish 'working for a dead horse,' that is to say, getting into debt."—Wakefield's *Ireland*, vol. i. p. 253.

hope to raise himself to *pecuniary* independence, than the villein who was bound to work for his lord, without claiming any recompense. It is only when a man receives his wages at certain short intervals, and relies upon the payments made to him in money as his means of support, that the transition from villenage can be said to be fully effected.

The remedy wanted for this state of things is to alter the mode of subsistence of the Irish peasant: to change him from a cottier living upon land to a labourer living upon wages: to support him by employment for hire instead of by a potato-ground. This change can only be effected by consolidating the present minute holdings, and creating a class of capitalist cultivators, who are able to pay wages to labourers, instead of tilling their own land with the assistance of the grown-up members of their family. But the landlords cannot consolidate farms because they cannot clear their estates. Consequently, the first step towards this improvement cannot be made. If we might be permitted to make a ludicrous comparison on so serious a subject, we should say that this state of things reminded us of the scene in the Critic, in which the two uncles are afraid to stab Whiskerandos lest he should kill their nieces; and Whiskerandos is afraid to stab the nieces lest he should be killed by their uncles. The tenant cannot quit his holding: he has not the means of emigrating, and he cannot get regular employment, there being no large farmers. On the other hand, the landlord cannot eject his cottier tenants in order to make large farms, as he exposes the ejected parties to the risk of starvation, and the new tenant to the risk of being murdered by the Whiteboys.

If an Irish landlord wishes to improve his property, he finds that he cannot venture to lay out capital upon it, without increasing the size of the holdings. He cannot erect farm-buildings on plots of a few acres; the construction and repair of farm-buildings by the landlord implies the existence of large farms, and a respectable tenantry. A landlord has no hold on a cottier tenantry: they are not responsible persons, nor can they be trusted with valuable property. In Ireland, the difficulty of living by wages makes every man look to the land for a maintenance: hence arises the practice of tenants dividing their land among their children, and erecting a mud hovel for each new-married couple. As a man cannot hope to maintain himself by *his own labour*, he always looks to the principle of *inheritance* for support; and thus the father is induced to divide among his children whatever he has any power over.

“It is impossible (says Mr. Furlong, the agent of the Earl of Devon's estate in the county of Limerick) to prevent the subdivision of land among the sons; for whether there is a lease or not, they deal with their ground in the same manner. They often make wills, even when they have no lease, and they even give leases when they have none themselves*.”

With this constant and irresistible tendency to subdivide land, it often happens that the landlord, at the expiration of a lease, finds thirty or forty tenants, and as many mud cabins, instead of the one tenant to whom the farm was originally let. What is a landlord under these circumstances to do? Either he must surrender to the evil, which will inevitably go on increasing; or he must set about clearing his estate, in order to con-

* Report of Irish Poor Commission, Appendix A., p. 691.

solidate the holdings. Now there are only two ways in which a landlord can set about clearing an estate; he may buy out the tenants, and furnish them with the means of emigration, an expense which few persons are able to incur; or he may forcibly eject them, and throw down their cabins, and thus produce the mischief already explained.

The consequence of this crossing of interests is, that the system is at a dead lock; no individual can by his unassisted energy hope to extricate himself from its shackles; and the evil is constantly progressive, enlarging itself by its own action, and creating the necessity for its own continuance. There seems no hope that the society will, by its spontaneous efforts, work out a cure; so far from it, that the rapid and inevitable tendency is from bad to worse. The law alone can furnish a remedy; by its assistance alone can the transition of the peasantry from the cottier to the labourer state be effected. What is wanted is to give the peasant some third alternative besides land and starvation, by which he may be induced to relax that desperate grasp with which he clings to his potato-ground. This alternative (as it seems to me) can alone be furnished by a **LEGAL PROVISION FOR THE POOR.**

We are quite ready to admit the force of all the objections which, within the last thirty-five years, have been urged against the principle of giving one man a right to be maintained out of another man's property. There is no doubt that it is far better to prevent poverty than to cure it; and that a cure, which produces more disease than it relieves, is a bad one. There is no doubt that if men are guaranteed against the conse-

quences of their vice, laziness, and improvidence, it may be expected that they will become vicious, lazy, and improvident. There is no doubt that the duties of family and neighbourhood will be neglected, if the parish undertakes to pay for their discharge; and that frauds will be committed by all classes of employers, if they find that they can pay their workmen with their neighbours' money.

Yet, while we admit to the full all these fundamental objections to the principle of supporting the poor from the property of others, we are not to fix our eyes exclusively on the evil effects of compulsory alms-giving. For instance, if the legal right to relief produces improvidence, insolence, and shamelessness, it also produces a feeling of security for the future, and the absence of fraud and servility in order to gain relief. It may be bad to feel no uneasiness about the future, but it is worse to feel so little secure, as to be tempted to intimidate, burn, beat and murder, in order to avert the apprehended evil. It may be bad to approach the parish pay-table with an unabashed or a menacing countenance; but it is worse to employ the various contrivances for raising money to which the mendicant is forced to have recourse. Nor does it follow that because a particular system of poor-laws, administered in a particular manner, is bad, therefore the absence of all legal relief is good. The reverse of wrong is not always right. The natural system may, in a diseased state, produce the same results as the abuses of the artificial system. If the English poor-laws have had their Swing fires and their riots, the Irish voluntary system has had its Whiteboyism.

However, admitting, as we do, the full force of the

arguments against legal relief, which have been urged by Mr. Malthus, Dr. Chalmers, and Mr. Senior*, it yet seems to me that there are peculiar circumstances in the present condition of Ireland which nullify all these reasonings. All legislative theories are founded on a certain supposed simple state of things, from which all extraordinary and disturbing forces are abstracted. Hence, in applying theory to practice, it is always necessary to add those facts which exist in the given case, and to consider, first, whether any of the existing facts are *different* from the data assumed by the theorist; and, secondly, whether those *additional* facts which exist in reality are sufficient to counterbalance the conclusion indicated by the naked theory. It is this latter process in which consists the main difficulty in the application of scientific knowledge; for it may happen that the theory may be correct (that is, it may be logically deduced from true premises), and yet there may, in the individual case, be other circumstances existing, together with those supposed in the theory, which destroy its validity†. Thus a scheme for a machine, made on the hypothesis of the absence of friction, would probably fail, if tried with materials whose surfaces acted on one another. In like manner

* The principle of the chief objection to compulsory relief is well stated by Tacitus, in relating the refusal of Tiberius to follow the example of Augustus, in bestowing money on a spendthrift nobleman named Hortalsus. "Dedit tibi, Hortale, Divus Augustus pecuniam (Tiberius is made to say), sed non compellatus, nec ea lege ut semper daretur; languescet aliqui industria, intendetur socordia, si nullus ex se metus aut spes; et securi omnes aliena subsidia expectabunt, sibi ignavi, nobis graves." Ann. ii. 38. Tiberius speaks as the representative of the state, and therefore says "*nobis* graves."

† Those who talk of "true in theory and false in practice" have probably some obscure perception of this truth.

it is scarcely possible to conceive any legislative theory which shall be applicable in all possible combinations of circumstances. The advocates of monarchy, aristocracy, and democracy have been for more than two thousand years respectively attempting to prove that each form of government is the best, but without satisfying mankind that different forms of government are not suited to different states of society. Free trade is on the whole beneficial, but a scarcity might justify a prohibition to export corn. Free circulation of persons is beneficial, but the existence of a pestilential disease might justify the stoppage of intercourse.

Now there are (as it seems to me), in the present state of Ireland, peculiar circumstances sufficient to outweigh the general arguments against compulsory relief; there is an object of paramount importance to be attained by this means, which no other measure will reach. Poor-laws are (in my opinion) imperatively needed in Ireland, not in order merely to relieve the sick, the aged, and the infirm; not merely to provide for widows, deserted children, and orphans; not in order to prevent Protestant landlords ejecting their Catholic tenants for electioneering purposes; not in order to stop the immigration of the Irish into Great Britain; not in order to raise the price of corn, and to diminish the exportation of Irish agricultural produce; but in order to give the Irish peasant an alternative besides the possession of land and starvation, and this for the sake of facilitating the transition from small to large farms, from the rude to the systematic mode of cultivation.

The facilities which a legal system of relief would offer for the effecting of this transition, and for the con-

version of the peasant from a cottier living by potatoes into a labourer living by wages, would arise from two sources. In the first place, an ejected tenant would not be exposed to the danger of destitution, unless provided for by his landlord: he would have a public place of refuge to fly to in this hour of need. In this manner the landlord would be able to call in the aid of the community for effecting that change which he himself cannot by his unaided means bring about, and by which the community will ultimately profit. Not only, however, would the ejected tenant find an asylum in his misery, but the tenant in possession would feel that ejectment would not to him imply destitution, and other persons of the same class would feel that in general depriving a man of his holding is not equivalent to depriving him of his means of subsistence. Hence that feeling of desperation with which the Irish cottier rivets himself to his cabin and potato-ground would be removed; and the sympathy with the White-boy who avenges the cause of the ejected, and protects the occupying tenant, would gradually cease; nor would the landlord find the feelings of the community arrayed against his own and their permanent interest.

When any vicious system has interwoven itself with the habits and thoughts of a whole population, when men's moral judgments and sympathies have been permanently perverted by the working of a pernicious but overwhelming interest, it is difficult by any legislative measure to effect any sudden change, and in such cases we deplore the inefficiency of laws without the custom of obedience or the disposition to enforce them. But in the case of Ireland, however hopeless it may be to attempt by legislation to produce any immediate and marked improvement in the mass of the poor, yet there

seen to be symptoms that the Whiteboy system might be suddenly checked, and that it would soon fall to pieces under the influence of a protecting government, of a government which supplied the guarantee against destitution which the Whiteboys now seek to create for themselves. It is not possible to make a sudden improvement in the general morality, or the skill, or the knowledge of a whole population ; but it *is* possible suddenly to insure them against the consequences of despair. That the Whiteboy system is the creature of *circumstances*, not of *moral habit*, appears from the conduct of the Irish who have migrated to Great Britain. The Irish, who settle in the large towns of Scotland and Ireland, may be said on the whole rather to be deteriorated than improved in their moral character ; and yet crimes of combination, in any way resembling those arising from the Whiteboy spirit, are utterly unknown among them. The Irish in England have never hitherto shown more disposition to avenge the cause of a dispossessed tenant than the English themselves. If the change produced in the circumstances of the Irish peasant in England by the change of place should be produced in his circumstances in Ireland by a change of law, there is every reason to expect that similar consequences would ensue. " We hold it of great importance (says Dr. Chalmers) in estimating the probabilities of any eventual reformation among the people to distinguish between the virtues of direct principle and the virtues of necessity. The former require a change of character, the latter may only require a change of circumstances. To bring about the one, there must either be a process of conversion, which is rare, or a process of education, which is gradual. The other may be wrought almost instan-

taneously by the pure force of a legal enactment. . . . There are many habits that may be regarded as the immediate fruit of external circumstances, and that would quickly and necessarily give way when the circumstances were altered; and these are altogether distinct from other habits that essentially depend on the moral or the religious principles of our nature*." Now the tendency to violent outrage among the Irish peasantry is precisely one of those dispositions which are the creatures of circumstances, and is very far from being one of those habits which are proverbially said to become a second nature. These habits are always agreeable for the present, though their consequences may be injurious; but from what has been above said †, it is obvious that Whiteboyism is, for the parties concerned, an exceedingly troublesome and dangerous system, and that it is only kept up by a great and constant effort. The intimidation practised on the peasantry, in order to compel adherence, is a sufficient proof that the Whiteboy for the most part works with unwilling instruments, however strong the feeling may be among the persons menaced that the system is for their benefit. The individual who commits the outrage does not reap any personal advantage from it ‡: and in order to commit it, he must bestir himself to get arms, and to hide them; he must procure powder and ball; he must go out at night; he must attack houses and men, and expose himself to resistance, to wounds, to capture, to detection, to conviction, and to punishment. Persons paid by government for per-

* Christian and Civic Economy, vol. ii., p. 237, note.

† Idem, p. 193—203.

‡ Idem, p. 234.

forming such duties as these, are sometimes slack in the discharge of them, and require a constant supervision in order to prevent them from sleeping at their posts. How much more is it to be expected that peasants, who take upon themselves the gratuitous discharge of such onerous and such perilous services, should withdraw themselves from their office when they are no longer urged on by the pressure of an imperious necessity?

If a system of legal relief was at once established in Ireland, which should comprehend all classes of destitute persons, and if that relief was administered to each person at his own house, it is difficult to foresee what would be the ultimate consequence of such a poor-law; but its immediate consequence would be, that the poor-rate, if levied upon the land, would swallow up the entire rent and tithe*. It would, in fact, amount to an agrarian law, and that in its worst possible form: as the occupants would remain occupants, but would divide among them the entire surplus produce of the soil, and the landlord would retain the legal title to the land, without deriving any benefit from it. The landlord would, in fact, be merely a trustee in whom the legal estate would be vested, and who would hold the property for the use of his lessees. Far better than such a course as this would it be to adopt F. von Raumer's suggestion, and after the model of Prussia, at once to convert the Irish tenants into proprietors†.

* "It has been proposed by some to establish poor-laws in Ireland; but, from the depressed state of the common people, there is little reason to doubt that, on the establishment of such laws, the whole of the landed property would very soon be absorbed, or the system given up in despair." — Malthus on Population, book iv., chap. 8.

† England im Jahre 1835, vol. ii., p. 404. Raumer does not seem

In order to prevent so disastrous an extremity, it would be necessary to guard the administration of legal relief in Ireland, by annexing the condition that it should only be administered in a public establishment into which the party should be received, and to the regulations of which he should submit : in short, that relief in Ireland, as well as in England, should be given only in *workhouses*.

The objections to this method are sufficiently obvious, and tolerably numerous : but if no plan could be advantageously followed which was not altogether unobjectionable, which had not the unattainable quality of perfection, it is manifest that all human legislation would be impracticable. In the first place it will be said that what is wanted in Ireland is to give employment to the unemployed poor, and that this cannot be done by means of workhouses. To this objection we would answer, that a wise government would never undertake directly so hopeless an object, and one so plainly lying out of the sphere of its proper duties, as that of finding employment for a whole population. The cases where governments have traded on a much smaller scale have so decisively proved their unfitness to perform the part of the capitalist, that a much more signal failure might be anticipated if the Irish government undertook to manage a farm of several million acres. If any advocate of a poor-law for Ireland wishes that relief should take the form of wages, and the relieving-officer should assume the character of a capitalist employer of labourers, he desires it on grounds quite different from those advanced in these pages, and

to be aware that the English and the Irish tenant are, as far as the *law* is concerned, in precisely the same situation.

utterly inconsistent with all notion of a legal provision for the destitute. Moreover, it will be observed that the very ground on which a poor-law for Ireland has been above recommended is, that it will ultimately lead to the introduction of a system under which there will be employment for the poor; and that a poor-law can alone lead, though indirectly, to the creation of a class of labourers independent of their potato-ground.

But even those who take a more modest view of the objects of a poor-law, and the capacities of a government, will say, that the expense of a workhouse system in Ireland is an insuperable bar to its adoption. It is true that in England the existence of a large number of workhouses has afforded great facilities for the introduction of the late reform: whereas in Ireland no workhouses exist. But this objection can only come from one who is altogether hostile to the principle of a poor-law for Ireland: for it is clear, that however expensive the erection of workhouses might be, it would be a far less grievous burden than a poor-law unprotected by workhouses. The construction of fever-hospitals on a large scale has not been found impossible in Ireland; and the same principle might doubtless be further extended. A workhouse might perhaps be required for about each barony; and if the barony was unable at once to defray the expenses of the building, money might be advanced to it by government upon adequate security.

Another objection which will probably be urged is, that in most parts of Ireland there is a prejudice among the poor against workhouses; and that as they now in some instances even refuse to go into hospitals, so they would be still more disinclined to enter a workhouse.

To this it may be answered, that the disinclination of the people to be the inmates of a workhouse is the best security which can exist against the evil anticipated by the opponents of an Irish poor-law, viz., that the whole peasantry will throw itself on the rates for support. If the poor are in real want, they will doubtless soon discard their sentimental antipathies to relief in a public establishment, and be eager applicants for the bounty proffered to them. When the general distress of the Irish peasantry is considered, there seems little fear that the candidates for relief will not be sufficiently numerous, in however unacceptable a shape it may be administered. It may perhaps be with some reason supposed that the danger is rather on the other side. But, besides this, it ought not to be overlooked that the main ground on which a legal provision has been above recommended, is not so much that the peasantry will be *actually* relieved, as that they will feel that they *may be* relieved: that the prospect of relief will give them security, not the receipt of it save them from destitution. A poor-law in Ireland might therefore dissolve the Whiteboy spirit, by opening the doors of the workhouse to all, although but a few might be admitted into it.

The only remaining objection on this subject which it seems needful to notice is, that the same spirit of combination which has been busied in regulating the terms on which land is to be held, would be turned against workhouses; and that they would be burnt and destroyed by the Whiteboys. If a workhouse in Ireland was built of good materials and slated; if it was placed near a police station; and if it was insured, it is not likely that the public would have much to fear

from the incendiary. But it ought not to be forgotten, that although in England the workhouses have been the objects of attack, as being the means of passing from a laxer to a stricter system, in Ireland they would be a step in advance; they would be, so far as they went, an amelioration of the state of the poor: in England, if the workhouse is destroyed, the parish is thrown back upon the allowance system and domestic relief: in Ireland, if the workhouse was destroyed, the poor would simply remain unrelieved.

The operation of a system of relief in facilitating the transition of cottier farmers into labourers ought at the same time to be assisted by COLONIZATION, and this on as large a scale as the means of the country would permit. The redundancy of the Irish population is so great, that no one measure can in a short time be expected to produce even an approximation to the great desideratum, the maintenance of the peasantry out of wages. An extensive emigration managed by government, and in combination with agents in Canada and the United States, would at any rate assist in bringing about this consummation. If Ireland (as it was once remarked to me) could be stretched out like a piece of India rubber, the peasantry would be as tranquil and contented as that of England. But as this is impossible, we must strive to do what is possible. As we cannot make more land to the inhabitants, we must make fewer inhabitants to the land.

There is one consideration which ought not to be overlooked, with respect to the introduction of poor-laws in Ireland; viz., that it is possible for a peasantry to be in a state, as regards physical comfort, far inferior to the English, and yet superior to the Irish; that the

strength of the motives which impel the Irishman to Whiteboyism might be broken, without giving him the food, the clothes, and the house even of an English pauper. There are parts of Ulster where the state of the agricultural labourer is much inferior to that of the Englishman in the same rank of life; but his condition is sufficiently good to raise him above Whiteboyism. The food of the Belgian peasant consists almost exclusively of potatoes, together with a little rye bread; very rarely does he eat meat: yet his dwelling is good, himself and his family are well clothed, nor is there any symptom of misery among the class of agricultural labourers. The cottier population of Scotland seem, even after the middle of the last century, to have been lodged and clothed little better than the modern Irish peasant*; but as they were not exposed to the danger of starvation, they were as tranquil and orderly as their richer successors at the present day.

All the more prominent evils in the political state of Ireland have been redressed, without materially diminishing the tendency to disturbance among the peasantry, or improving the condition of the cottier tenantry. The civil disabilities of the Catholics have been removed; the disposition to subdivide land has been counteracted by the abolition of the 40s. freeholders and the subletting act; the trade with England has been opened, and all commercial restrictions repealed; the jobbing of magistrates and grand juries has been mitigated by the appointment of assistant barristers, and the late grand jury act; the burden of tithes has partly been removed by the refusal to pay

* See note (C) at the end.

them, and partly has been thrown directly on the landlord. Moreover, the annual grant for the education of the poor has been taken out of the hands of private and irresponsible societies, who used it for the promotion of their own religious views, and has been intrusted to a board, impartially constituted, and responsible to government for their acts. That these measures have not produced all the good which their authors and supporters expected of them is unhappily true; but though they may have in some cases not allayed dissension, and in other cases even temporarily increased it, we are not to suppose that so much benevolent legislation has been bestowed in vain; that so many good intentions have produced only bad effects. Unquestionably there is not now in the higher and educated classes of Ireland that distrust of the government and that hatred of England which prevailed at the end of the last century; if the French revolution of 1789 had fallen in 1830, we should not have seen the Wolfe Tones and Lord Edward Fitzgeralds of the present day intriguing with France and organizing an armed rebellion in order to make Ireland an independent republic. There is no reason now to anticipate any serious commotions in Ireland of a political or even of a religious character: all its disturbances arise from the local and limited causes which have been above described as continually urging the peasantry to measures of self-defence.

For this peculiar evil there seems to be no remedy except a legal provision for the poor, accompanied with systematic colonization, as affording the only means of passing into a state in which the agricultural population will consist of employers and labourers. The

other remedies which have been suggested seem utterly inadequate to this purpose. Thus it has been imagined that *the settlement of the ecclesiastical questions* in Ireland, by reducing the Established Church to a level with the wants of the Protestants, and by making a decent state provision for the Catholic clergy, would suppress the turbulence of the peasantry. Every impartial person acquainted with the state of Ireland must earnestly desire the adoption of these measures, which would unquestionably go far to extinguish the religious dissensions of that country; but from the facts adduced above, it is manifest that Whiteboyism is utterly unconnected with religion: and that it might continue to flourish in a country where all people were of one religion or of no religion. A still more visionary fancy is the supposition of some persons, that the physical condition of the Irish peasantry may be elevated, and their turbulent disposition removed by *education*. The Irish peasantry are not, on the whole, an ignorant and illiterate class, as compared with the same rank of persons in other countries: the peasantry of Wales, of Belgium, and of Tuscany, who in their general prosperity and tranquillity are not greatly inferior to those of England, are, to say the least, equally deficient in education with the Irish. Education would doubtless tend to instil in the Irish cottier economical habits, if he had the means of saving; and to repress his disposition to outrage, if he did not conceive it to be his only means of guarding against starvation.

Another more popular remedy for the distress of the peasantry in Ireland is, the *Repeal of the Union with England*: it being supposed that the Union is the cause of absenteeism, and that absenteeism is the cause

of the want of employment. If, therefore, it is said, the Union is repealed, the laudlords will reside and the people will be employed. Of the two assumptions on which this argument is founded, neither appears to have any foundation. The Union is not the cause of absenteeism, and absenteeism is not the cause of want of employment. The true cause of absenteeism in Ireland, is the grants of land to Englishmen who possess other property in England. The true cause of the want of employment is the subdivision of the land, and the absence of a class of capitalist cultivators. It is well known, that the absenteeism of the landlords was as much complained of before as after the Union: that lists of the absentees, and the amount of the rent drawn by them from the country, were published several times during the last century; and that motions were made in the Irish Parliament for imposing a tax on absentees*. If, therefore, the Repeal of the Union is to place Ireland in the condition in which it was before the Union, there is no reason to expect that this measure would remove the evil of absenteeism, so far as it affects the agricultural population. If, however, the Repeal of the Union means that Ireland is to be wholly separated from England, and to become an independent state; and if the old game of confiscation is to be retaliated on the Protestant proprietors, there is no doubt that the new Catholic grantees would in great measure reside on their estates. But a sweeping confiscation of this kind could not be carried into effect without a violent armed struggle, of which no one could venture to foretell the result, and by which, at any rate, the peasantry would be the chief sufferers. Moreover,

* See note (D.) at the end.

if this civil war was composed, and Ireland became an independent state, its agricultural produce would be excluded from the English ports; it would lose the benefit of the trade with the English colonies; it would be forced to maintain a separate army, and to lay the foundation of a separate navy; and it would be deprived of all those advantages which accrue to a poor country from its union with the richest, and, on the whole, the most powerful nation in the world.

However, even if the Repeal of the Union was practicable without complete independence, and if this modified separation put an end to absenteeism, it does not follow that any material improvement would take place in the state of the Irish peasantry. The connexion between the prosperity of the peasantry and the residence of the landlords is far less intimate than is often supposed. Some of the best managed estates in Ireland belong to absentees, some of the worst managed to resident proprietors. There is much non-residence in parts of Ulster, where disturbance is unknown; the county of Tipperary, the head-quarters of Whiteboyism, abounds with resident gentlemen. At any rate, it is quite possible that a peasantry may be far less turbulent and miserable than the Irish, where the chief landlords are absent. In parts of Scotland and Wales non-residence is frequent: but though it is much complained of, it does not produce any material influence on the condition of the labourers, who, whether the landlord is absent or present, are equally employed for hire by the farmers in cultivating the soil.

If there is any foundation for what has been already stated with respect to the position of the Irish landlord, it is clear that, in whatever place he may be, he is

equally unable to resist the pressure of the land-craving necessities of the peasantry, and that he has no means, even if he understands his interest, and is ready to act upon his conviction, of bringing about a state of things, in which the labourer shall live by money received from the farmer, not from land allowed by the proprietor. With the present law, and in the present form of society, the Irish landlords may make a few isolated attempts to struggle against the stream, and some may meet with a partial success: but in the mean time the multiplication of the people goes on with perpetually increasing velocity; every year adds to the number of claimants for potato-grounds, and, by further subdividing the land, diminishes the means of employment; thus tending, slowly, perhaps, but inevitably, to that worst form of civil convulsion, a war for the means of subsistence.

THE IRISH CHURCH QUESTION.

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ALL the chief grievances of Ireland, so far as they are at present the subjects of complaint, may be considered as falling under the two heads of *economical* or *ecclesiastical*. The *civil* distinctions between Protestants and Catholics have now been abolished, and the restrictions on the Irish *commerce* and *manufactures* have been repealed; the bill for the reform of the Irish *representative system* has passed, and that for the reform of the Irish *municipal corporations* cannot be long delayed. The well-founded dissatisfaction at the manner in which the grant for the education of the Irish poor was administered has now been in great measure removed. There remain now only two main causes of uneasiness in Ireland,—the condition of the peasantry, and the position of the Established Protestant Church and the Roman Catholic Church with respect to the State. One of the most important elements in the condition of the agricultural population, as bearing upon the question of a Poor Law for Ireland, has been already discussed in the foregoing pages: I propose now to enter into the consideration of the second of these two subjects; for which purpose it will be desirable, first, to state briefly the condition of Ireland in respect of the religious denominations of its inhabitants, and the evils arising from this condition, and then to attempt to discover whether there is any satisfactory method of removing those evils which,

from the time of the Reformation to the present day, have been caused by the policy of the English Government with regard to the differences of religion in Ireland.

According to the census taken by the Commissioners of Public Instruction, the entire population of Ireland, in 1834, was distributed as follows into religious denominations:—

Members of the Established Church . . .	852,064
Presbyterians	642,356
Other Protestant Dissenters	21,808
Total of Protestants	1,516,228
Roman Catholics	6,427,712
Total population	7,943,940

The numbers of the several religious persuasions were thus distributed according to provinces:—

ARMAGH.

Members of the Established Church . . .	517,722
Presbyterians	638,073
Other Protestant Dissenters	15,823
Total of Protestants	1,171,618
Roman Catholics	1,955,123
Total population	3,126,741

DUBLIN.

Members of the Established Church . . .	177,930
Presbyterians	2,517
Other Protestant Dissenters	3,162
Total of Protestants	183,609
Roman Catholics	1,063,681
Total population	1,247,290

CASHEL.

Members of the Established Church . . .	111,813
Presbyterians	966
Other Protestant Dissenters	2,454
Total of Protestants	115,233
Roman Catholics	2,220,340
Total population	2,335,573

TUAM.

Members of the Established Church . . .	44,599
Presbyterians	800
Other Protestant Dissenters	369
Total of Protestants	45,768
Roman Catholics	1,188,568
Total population	1,234,336

From these statements it appears that the members of the Established Church are rather more than 10 per cent., the Roman Catholics rather more than 80 per cent., the Presbyterians rather more than 8 per cent., and the Protestant Dissenters about one-fifth per cent. of the entire population of Ireland. The Roman Catholics constitute the great bulk of the community in the three provinces of Dublin, Cashel, and Tuam; and in that of Armagh they are more than half the population. The Protestants of the Established Church occur in greatest numbers in the province of Ulster, and in the large towns, as Dublin, Limerick, Cork, and Waterford. Nevertheless they are very generally diffused over the face of the country, and there is no considerable part of the surface of Ireland in which some Protestants are not to be found. Thus, out of 1387 benefices into which Ireland is divided, there are

only 41 in which there is no member of the Established Church, and only 223 in which there are between 1 and 50; leaving 1123 benefices, in each of which there are more than 50 Episcopalian Protestants. This general dispersion of the Church Protestants over the entire country is to be particularly noticed, since it greatly increases the difficulty (as will be presently pointed out) of making a state-provision for their worship. With the Presbyterians it is otherwise, as they are chiefly confined to the province of Armagh, or indeed to that part of it which lies in the civil province of Ulster*; the Presbyterians being less than one per cent. of the population in the three provinces of Dublin, Cashel, and Tuam, while in that of Armagh they are more than 20 per cent. If as large a proportion of the 852,064 members of the Established Church were in the province of Leinster as there is of the 642,356 Presbyterians in the province of Ulster†, the difficulty of making a legislative settlement of the Irish Church question would be very much less than it is with the existing distribution of the former class of Protestants.

It should be further observed, that owing to the manner in which Ireland has been settled, the Protestants, especially those of the Established Church, belong to the richer classes; and that the Roman Ca-

* The diocese of Dromore contains upwards of 36 per cent.; of Down, upwards of 52 per cent.; of Connor, upwards of 53 per cent.; and of Derry, upwards of 32 per cent. of Presbyterians on the entire population. The dioceses of Ardagh and Meath (equally in the province of Armagh) together contain only about one-tenth per cent. of Presbyterians; that is to say, out of 617,295 persons, only 1138 are Presbyterians.

† Out of 642,356 Presbyterians, 638,073 are in the province of Armagh; and of the latter, all but about 1138 (as has been just mentioned) are in Ulster.

tholics belong in general to the poorer classes. The ownership of nearly the entire land of Ireland is in the hands of Protestants; even in those parts of the country where nearly the entire population is Roman Catholic.

The system of penal laws against Catholicism, established in Ireland after the Revolution, appears to have had no effect in diminishing the numbers of the Roman Catholics as compared with those of the Protestants. Sir W. Petty, in the reign of Charles II., estimated the ratio of Protestants to Roman Catholics at three to eight; and the same proportion appears in the returns of the hearth-money collectors for 1732-3*. The general impression in Ireland, at the end of the last century, seems to have been, that the ratio of Protestants to Roman Catholics was nearly the same as at the end of the previous century. Thus Wolfe Tone (*Life*, p. 53), in speaking of the events of 1790, reckons the members of the Established Church as one-tenth of the population, the Protestant Dissenters at least twice as numerous as the members of the Established Church, while the Catholics "were above two-thirds of the nation, and formed perhaps a still greater proportion;" that is, Protestants were about three-tenths, and Catholics about seven-tenths of the community, or Protestants were to Catholics as three to seven. In an interview with Carnot (p. 143), Tone stated that the Catholics were 3,000,000, and the Dissenters 900,000; the latter of which numbers is a palpable exaggeration, inasmuch as the number of Presbyterians returned by the Commissioners for the past

* See Newenham's *Inquiry into the Population of Ireland*, sect. 16, and *Edinburgh Review*, No. cxxiv. p. 514.

year is under 650,000. The Earl of Bristol, Bishop of Derry, in a reply to an Address of the Volunteers in 1784, reckons the Protestants at 1,000,000, and the Catholics at only 2,000,000*. The population of Ireland in 1791 is estimated by Dr. Beaufort at 4,088,000†; and we shall probably not be mistaken in supposing that the Protestants were at this time about 1,000,000, that is, one-fourth, and that consequently the Catholics were about three-fourths of this number. The ratio of Catholics to Protestants in Ireland has therefore gone on regularly increasing from the period of the Revolution: at the beginning of the last century it was as eight to three; at the end of the century as three to one, or as nine to three; and in 1834 it was as four to one, or as twelve to three.

Although there may in some cases have been conversions to Catholicism, and small Protestant colonies may, through the neglect of their pastors, have merged into the surrounding Catholic population‡, yet the main

* "1,000,000 of divided Protestants can never, in the scale of human government, be a counterpoise against 2,000,000 of united Catholics."—Plowden's Hist. Review, vol. ii. part i. p. 321. The political nullity of the Catholics at this period naturally led to the underrating of their numerical force. Arthur Young, Part II. p. 35, speaks, in 1780, of "an aristocracy of five hundred thousand Protestants crushing the industry of two millions of poor Catholics." He probably does not here include Presbyterians under Protestants, as he says elsewhere that "the common idea is that there are something under three millions in Ireland."—Ib. p. 62.

† Mr. McCulloch thinks 374,700 a more probable number.—H. C. Report on State of Ireland, 1825, p. 808.

‡ See Newenham's Inquiry into the Population of Ireland, p. 314.—Sir John Newport also makes a statement to the same effect to the Lords' Committee on the State of Ireland in 1825:—"I am quite sure (he says) that the Catholic population has increased with very great rapidity, as contradistinguished from the Protestant, in the country parts of Ireland with which I am best acquainted; and I believe that, at this

cause of this disproportionate increase of the two persuasions is doubtless to be sought in the circumstances above mentioned, as determining the different rates of multiplication for the upper and lower classes†. The Catholic agricultural population, made reckless by the law, were exempt from the operation of those moral considerations which are the great checks to population, and which never ceased to act with considerable force on the Protestant part of the population. The influence of the Roman Catholic clergy is likewise supposed to have been strongly exerted to encourage early marriages; partly, it is said, on account of their fees on baptisms and weddings; partly for the sake of pre-

moment, the difference between the one and the other would be infinitely greater than it is, were it not that the Protestant population is kept up in some degree in the towns. I could point out whole districts of country in which there were, within my memory, persons who were engaged in the cultivation of land, who were Protestants, but who have become Catholics; and that to a degree at an earlier period. It is not the case so much now, for a considerable number of churches have been built; but while the churches were placed at a distance from the farming population, it was quite manifest their families would go over by degrees, and become Catholics; and that I know to have taken place to this extent, that between the house where I live and the town of Ross, I recollect several Protestant families in that district; and there is not one single Protestant family in it, with the exception of two gentlemen immediately adjoining to me, who are at one extremity of that district. In it there is not one place of Protestant worship; the churches which were there have fallen to ruins, and the livings have been united with other livings; and the consequence is, that the people being at a distance from their place of worship, their families have gone over to the Catholic communion. This takes place more especially where they have occasion to call for the assistance of a clergyman in case of sickness and approaching death; the Protestant clergyman not being at hand to give them the benefits of religious instruction and consolation, the servants about them immediately recommended to them to get the priest; they naturally cling to some assistance; and the whole family have, in consequence of such circumstances, become Catholic, from having been Protestant."—H. L., 1825, p. 285.

† Above, p. 57.

venting incontinence and its effects, in which they are much assisted by the revelations of the confessional; and partly, perhaps, from a systematic desire to increase the numbers of the adherents of their church*. While these causes have conspired to favour the increase of the Catholics, the number of the Protestants has been constantly drained by emigration. It has been observed for some years, that emigration took place in a much greater degree among the Protestants than the Catholics; and this was attributed (as most things in Ireland are attributed) to a false cause; viz., *the persecution of the Protestants by the Catholics*. In truth, however, many Protestants and many Catholics were equally desirous to emigrate; but the former had the means, while the latter had not. The former were able, in some of the northern counties, to sell their small freeholds, when their families became too numerous for the property; or, if they were tenants, they were enabled, by the sale of the good-will of the

* It is very questionable whether the common opinion as to the influence of the Irish Catholic clergy in promoting early marriages is not altogether erroneous, or at least greatly exaggerated. The age of marrying differs widely in different parts of the country: in the more uncivilized parts, as Kerry, girls sometimes marry at the age of twelve and thirteen (Irish Poor Report, App. A. p. 447); in the more advanced parts of the country such early ages for marriage are unknown (Ib., p. 455). If, however, the influence of the priest determined the age of marrying, we might expect to find it uniform in all parts of the country. The following statements, on this point, occur in the Report of the Assistant Commissioners for a parish in the county of Cork:—"The marriage-mouey, or fee to the clergyman for performing the ceremony, is stated to be generally 25s. or 30s., and never less than 20s. Several marriages are delayed from the inability of the parties 'to make up the marriage-money.'" If there was no fee paid on marriage, it is thought that the number of early marriages would greatly increase. Butler says, "Half the country would run to get married if there was no marriage-money."—(Ib., p. 432.)

farm, and of their stock and furniture, to raise a sufficient sum to enable them to emigrate. The Catholics, however, belonging in general to a poorer class, and not being able to obtain sufficient funds for the purposes of emigration, were forced to remain as they were, at home; it may, moreover, be added, that they had, for the most part, less feeling of independence*, and were less anxious, by a vigorous movement, to prevent the degradation which, in Ireland, befalls a family when its members become too numerous for their inheritance. This opinion as to the causes of the greater relative increase of the Roman Catholics than of the Protestants, is confirmed by the consideration, that, although the former may have increased at a more rapid rate, the increase of the latter has also been considerable. In the first quarter of the last century, the Protestants seem to have been about 500,000†. In the latter quarter of the century they are rated, in round numbers, at 1,000,000, and now they are upwards of 1,500,000; they have therefore tripled their numbers in a century, which is by no means a slow advance of population. In 1790, Wolfe Tone reckoned the members of the Established Church as a tenth of the population; they are now between a ninth and a tenth. Even if Tone's conjecture was somewhat below the truth, we cannot believe that the proportion has much varied in the last fifty years.

From the time of the Reformation in Ireland, the tithes and bishops' lands, and all the revenues which had theretofore belonged to the Established Roman

* See Note (E) at the end.

† The Hearth-money Returns for 1732-3 give 105,494 Protestant families for all Ireland.

Catholic Church, became the property of the Established Protestant Church, and (with the exception of a short interval during the Protectorate) have so remained up to the present day. The ministers of the Presbyterian communion, however, although their Church was established in Scotland, were not in Ireland assisted by any public endowment (except during the period just mentioned) until the beginning of this century, when an annual stipend was granted to them by the government, under the name of *Regium Donum*. The Roman Catholic Church receives no aid from any public fund for any religious purpose, except a small annual grant towards the maintenance of a college at Maynooth for the education of the priesthood. The Baptists, Quakers, Independents, and other Protestant dissenting sects are, as in England, wholly unassisted by public money. The State has thus followed three distinct lines of policy with respect to the different religious persuasions of Ireland. It has endowed the clergy of the communion of Protestants professing the Thirty-nine Articles with the tithes and bishops' lands, has given it certain civil privileges, and has made it an *Established Church*; it has secured to the ministers of the Presbyterian communion an annual grant, unaccompanied however with any civil privileges, and has thus made it simply an *endowed church*; while to the other Protestant Dissenters, and to the Roman Catholics, it has afforded no aid, and has left their clergy to be maintained solely *on the voluntary principle*.

The evils arising from the existing arrangement of ecclesiastical affairs in Ireland, as briefly described in the above statement, may be reduced to two general heads.

In the first place, the Roman Catholics, who are the large majority, feel aggrieved that the State, having an ecclesiastical endowment at its disposition, should bestow it on the clergy of a small minority of the Irish community. In this manner, not only is the Church of the minority supported, while that of the majority is left unsupported, but that of the *rich* minority is supported, while that of the *poor* majority is left unsupported. This grievance is commonly stated to be, that Roman Catholics are compelled to contribute, by the payment of tithes, to the support of a church from the creed of which they differ. Now, in fact, the Roman Catholics, although they may pay the tithe, contribute nothing; inasmuch as in Ireland tithe is in the nature not of a tax, but of a reserved rent, which never belonged either to the landlord or the tenant. But the sense of ill-treatment in this respect by the State on the part of the Roman Catholics is well-founded, although they may express it incorrectly: the true ground of complaint is, that the State, having a certain endowment for ecclesiastical purposes at its disposal, selects one religious persuasion as the object of its favour, and that one the persuasion of only a tenth part of the community. It is ever to be remembered, in discussing the ecclesiastical state of Ireland, that the objections of the Roman Catholics to the Established Church of that country are not of *more or less*; that they would not be removed by the abolition of a few bishoprics, or the paring down of a few benefices, but that they lie against its very existence, against the principle of making a public provision in Ireland for the clergy of the small minority, so long as the clergy of the large majority is left wholly destitute of aid from

public funds. No improvements in the *internal economy* of the Established Church, in the distribution of its revenues, or the discipline of its clergy, tend to lessen the sense of grievance arising from this source ; the objection is of *principle*, not of *degree*, and nothing short of perfect equality in the treatment of all religious sects will satisfy the persons whose discontentment springs from this source. The effect of the preference in question is, that the whole body of Roman Catholics in Ireland are more or less alienated from the government, the author of their wrong, and are filled with jealousy and ill-will towards the more favoured Protestants. This feeling is the stronger as the Roman Catholics are the more numerous sect in Ireland, and have therefore the better claim on the consideration of the government. In England, where their number is insignificant as compared with that of the entire population, they defer to those superior claims for public support which the clergy of the Established Church are so fond of resting on the *numerical preponderance* of their persuasion ; but in Ireland, six and a half millions out of eight millions naturally feel that they have at least as good a right as any other sect to any endowment for ecclesiastical purposes which may be at the command of the state.

The second evil in the state of the Established Church in Ireland is, that even if the principle of bestowing the state endowment on the Episcopalian Protestants is admitted, yet the existing provision is on *too large a scale*, and is otherwise unsuited to the peculiar circumstances of the members of this persuasion in Ireland. According to the ecclesiastical constitution as well of England as of Ireland, the country is divided

into certain districts called parishes, the boundaries of which have remained unchanged for a very long period, and at any rate have not been materially altered since the Reformation. In each of these the incumbent has the *cure of souls* (as it is termed); that is, he is bound to attend to the spiritual wants of all the persons dwelling within its limits, and to perform Divine Service in the parish-church: and, as a remuneration for the performance of these duties, he is entitled by law to receive during his incumbency the tithes accruing in his parish, either wholly or such part of them as may not belong to lay rectors, or may not be appropriate to ecclesiastics not having the cure of souls. Now it will be observed, that, according to this system, the cure of souls has reference solely to *area* or *territorial extent*, and is altogether independent of *population*; so that if these divisions were originally unequal in respect of the number of souls to be cured, or if the population increases and thus requires additional care, or if it diminishes and thus requires less care, they are altogether unsuited to the actual wants of the people. This unchanging territorial division, in fact, establishes a *maximum* and a *minimum* for the Church Establishment; a *maximum*, inasmuch as it says, that however great may be the increase of population, or however large the number of the parishioners, the provision for the spiritual wants of the parishioners shall not be increased; a *minimum*, inasmuch as it says, that however great may be the diminution of population, or however small the number of the parishioners, the provision for their spiritual wants shall not be diminished. The mischievous operation of the first of these principles has been fully experienced in the large towns and the

manufacturing districts of England, where, notwithstanding the vast increase of population, the church provision for the cure of souls seems substantially the same as it was in the reign of Elizabeth*. The mischievous operation of the second of these principles is largely developed in Ireland, where there are, as has been already stated, forty-one benefices, in which there is no member of the Established Church, and many others in which the number is much smaller than could be conveniently attended to by a single minister. The manifest absurdity of assigning a separate Protestant clergyman to small parishes in which there was no church, and not more than two or three Protestants, has led in Ireland to the practice of forming *unions of parishes*, and assigning them as one benefice to a single clergyman. It is much to be regretted that these unions were often formed with a view rather to the interests of the clergyman than of the parishioners: but if this principle of union had been judiciously acted on, it might have prevented all the abuses which have arisen from the disproportion between payment and duty now existing, and it might have removed all ground of complaint, so far as the objection arises from the *internal economy* of the Irish Established Church.

It is possible that there may be some foundation for the opinion of those who think that the number of

* Speaking of Madely, in Shropshire, Southey says (Life of Wesley, vol. ii. p. 369): "It is a populous village, in which there were extensive collieries and iron works, and the character of the inhabitants was in consequence what, to the reproach and curse of England, it generally is wherever mines or manufactures of any kind have brought together a crowded population."—That is, because the church establishment is arranged by *acres*, not by *souls*, an increase of population beyond the ordinary means of religious instruction is followed by immorality.

Protestants in Ireland has been diminished by the remissness of the clergy of the Established Church *. On the whole, however, the number of conversions cannot have been considerable ; and it is certain that, from the very beginning, the Irish church has been on a scale too large for the wants of the *existing* Protestants ; but at a time when it was attempted by penal laws to reduce the entire population to the Protestant faith, it would have been wholly inconsistent with the policy of the government not to maintain such a Protestant establishment as would have been requisite if that end had been attained.

The excessive number of ministers of the Established Church in Ireland is likewise evident from this consideration. The number of members of the Established Church in 1834 was 852,064 ; of churches, 1338 ; of clergymen of the Established Church, 2086 : the number of Roman Catholics, 6,427,712 ; of Roman Catholic places of worship, 2105 ; of Roman Catholic clergymen, 2074 : that is to say, for the members of the Established Church there is 1 clergyman to 408 persons, and 748 more clergymen than places of worship ; while for the Roman Catholics there is 1 clergyman to 3099 persons, and the number of places of worship exceeds that of clergymen, by 31†. Now, it is not to be

* The number of Roman Catholics in Ireland with *English* names is sometimes cited as a proof that many Protestants returned to the unreformed faith. But this fact proves nothing, as the ancestors of these persons might have settled in Ireland *before* the Reformation ; and as the Reformation never made any progress in Ireland, not even within the English pale, they and their descendants would naturally have remained Catholic. On the inefficient state of the Established Church and the prevalence of Catholicism in Ireland, during the reigns of Elizabeth and Charles I., see Hallam's Const. Hist. vol. iv., pp. 229, 243.

† See the Appendix to the First Report of the Commissioners of Public

denied that the diffusion of a thin Protestant population over the whole face of the country makes the mere comparison of numbers not altogether just, inasmuch as it would probably be impossible to assign to single Protestant clergymen districts sufficiently large to average 3099 Protestants* : but even with this allowance, the disparity of the numbers is out of all reason ; especially when it is remembered that, from the nature of the Roman Catholic system, much more is required of the priest than of the Protestant minister. The sacraments of confession and extreme unction alone impose on the Catholic clergyman a host of duties from which the Protestant clergyman is altogether exempt ; so that it probably may be said that, other things being the same, the duties of a priest would be *twice* as onerous as those of a Protestant clergyman with congregations of equal number.

The following extracts from the evidence of witnesses before committees of the House of Commons will serve to explain the difference between the two causes of the unpopularity of the Irish Established Church which have just been stated.

Instruction, for a list of the clergy of the Established and Roman Catholic Churches in Ireland. From the Report of the Commissioners for inquiring into the Ecclesiastical Revenues of England and Wales, it appears, that in the dioceses of Chester and London, there are 1389 clergymen of the Established Church, employed among a population amounting to 3,629,025 (i. e., Chester 1,940,126, London 1,688,899), that is, in the proportion of one clergyman to 2612 persons. There is no means of ascertaining the proportion of Dissenters in these dioceses, but if the estimates of churchmen may be trusted, they are probably less than a *sixth* of the population.

* For instance, the entire diocese of Emly only contains 1246 members of the Established Church ; yet it consists of 17 benefices, with 11 churches, in all of which service is performed, and small congregations attend.

Matthew Singleton, Esq., chief magistrate of police in the Queen's County :—

“ What construction was put by the tithe-payers in Ireland upon the declaration of the Secretary of State that tithes were abolished ?—That they would be shortly extinct.

“ Then by tithe do they understand the payment of a tax in support of the church in the abstract, or merely the present form of paying that tax ?—I think there is a portion of both persuasions, Protestant and Catholic, very hostile to the payment of tithe.

“ Upon what does their objection rest ; is it an objection to the tithe regarded as a tax, or an objection to the support of an hostile establishment ?—*The Catholics object to it as an hostile establishment, and the Protestants object in consequence of the pluralities and the number of bishops.*

“ When you say the Protestants, what do you mean, what class ?—I mean nine-tenths of the Protestants in Ireland I have been speaking to.

“ Members of the Established Church ?—Yes.

“ Do you think that the objection to the payment of tithes, on the part of the members of the Established Church, is really an objection to the thing, or the effects of intimidation ?—I think that the Protestants in Ireland would cheerfully pay the tax to support the clergymen, but they are not satisfied to pay it to absentee clergymen, and to the number of bishops and dignitaries in the church.”—H. C., 1832, Nos. 4157-62.

R. de la Cour, Esq., banker and treasurer of the county of Cork :—

“ You state that there has been a good deal of indisposition to pay tithes lately ; does that prevail generally among Protestants as well as Catholics ?—I do not know how it prevails now, but I think I may observe, if it is not an obtrusive observation to make to the committee, that the late Bishop of Cork said to me—‘ We are in the habit of blaming the Roman Catholics for the resistance to tithes, but I believe if the real

truth was known, there is scarcely any country gentleman in Ireland who is not in his heart a Whiteboy*."

"You think that the opposition to the tithe system is not so much an opposition upon religious grounds as an opposition to a system that is vexatious?—I think it is combined; I do think it is but natural that the Catholics should be unwilling to pay a clergy whom they do not acknowledge as their spiritual instructors."—H. C., Committee on Tithes in Ireland, 1832, Nos. 2703-4.

Rev. W. Phelan, B.D. :—

"Should Roman Catholic emancipation take place, may not the payment of tithes, and the very existence of a Protestant establishment still be productive of animosity and ill-will between the Roman Catholics and Protestants?—Certainly it may; there is a very strong declaration of Dr. Doyle upon that subject, in his letter to Mr. Robertson, in which he says, "Emancipation alone will not be a remedy for the grievances of Ireland; it will not allay the animosities between two churches, both high-minded, both perhaps intolerant; it will not remove the grievance of tithes." He uses other expressions to the same effect which I do not remember now. But in justice to Dr. Doyle and other Roman Catholic ecclesiastics, *I must say that what is called the grievance of tithes is as much spoken against by Protestant landholders in Ireland as by them; there is a remarkable coincidence in the language of the two classes on the subject.*"—H. C., 1825, p. 527.

Having now given a brief description of the ecclesiastical state of Ireland, and of the principal evils resulting from it, we will proceed to inquire by what means these evils may be best removed; for which purpose it will be convenient to begin by examining the principles on which the present system is founded, since it is only by obtaining a precise knowledge of the doctrines maintained, either avowedly or implicitly, by

* On the encouragement given by the landed proprietors to the resistance to tithes, see above, pp. 22-4.

its advocates, that we can form any just estimate of the merits of their cause.

All the ecclesiastical grievances of Ireland, so far as they can be the subjects of legislation, arise from what is termed the *connexion between church and state*. By the connexion of church* and state is meant in a general sense that an ecclesiastical society, or a body of persons professing certain religious doctrines, have certain exclusive civil rights or privileges; for the most part, however, this connexion is understood to be confined to *one* such religious persuasion, although the civil community may comprise persons of other religious persuasions.

The doctrine of the connexion of church and state, and the various practical results to which that doctrine

* The Greeks had two words to express the notions of a body of Christians and a place of Christian worship, viz., *ἐκκλησία* and *κυριακόν*. We extract from Schleusner the meanings of *ἐκκλησία* (originally used in the general sense of a *meeting or assembly*), which occur in the New Testament, arranged in the order in which they seem to have followed:—
 '1. Cœtus Christianorum in ædibus privatis cultus divini causâ convenientium, (1 Cor. xi. 18.) 2. Cœtus Christianorum hoc vel illo loco versantium, (Acts viii. 1; Rev. i. 11.) 3. Pauci Christiani qui ad unam familiam pertinent, (Col. iv. 15.) 4. Universus Cœtus doctrinam Christianam profitentium per orbem terrarum dispersorum, (Ephes. i. 22, and Matt. xvi. 18.)' *Ecclesia* had, however, in the third century, acquired the sense of a Christian place of worship, as it is thus used by Aurelian in addressing the senate.—Vopisc. Aurelian. in Hist. August. *Κυριακόν* (the Lord's House) always signifies a place of worship in Greek.—See Euseb. de Laud. Const., c. 17, quoted in Bingham's Orig. Eccl. viii., 1, § 2.

It is singular that the Romance languages have adopted the word *ecclesia* in the sense both of a body of Christians and a place of Christian worship (*chiesa*, Italian; *iglesia*, Spanish; *église*, French), and have no derivative of *κυριακόν*; while the Teutonic languages want the former word and use derivatives of the latter, in the sense not only of a place of worship, but also of a body of Christians: (*Church*, English; *kirk*, Scotch; *kirche*, German; *kerk*, Dutch.) The former word, therefore, properly signifying the *worshippers*, afterwards was also used for the *place of worship*; the latter word properly signifying the *place of worship*, afterwards was also used for the *worshippers*.

has given birth, have arisen from the operation of a double set of motives, perfectly distinct in their character. In the age of the Reformation, it was the generally received opinion among persons of all religious persuasions, that it was the duty of a governor to use all means in his power for bringing over his subjects to what he himself considered as the true faith ; that his position imposed on him the obligation of legislating not only for the good of their bodies, but also for the safety of their souls. Charles V., who certainly was not a cruel man, and who must, on the whole, be considered as having conducted himself with temperance and moderation, was probably in great measure actuated by a pure sense of religious duty in his persecutions of the Protestants ; his temporal interests certainly would not have led him to espouse the cause of the Pope. Even at the present day, it is still the prevalent belief in Italy and Spain, among a large part of the English and Scotch, and among a considerable part of the Irish, that it is the duty of the civil magistrate to encourage the diffusion of his own religious faith, and to discourage that of all others. The *religious* ground, however, is not the only motive which has led to the legal preference of one persuasion before all others : this inequality has also had a *civil* motive, founded on purely temporal considerations. The religious struggles of the 16th century having always left the powers of government in the hands of the most numerous persuasion, those who wielded them thought it prudent to connect their own church with the state ; because being slow to perceive that the same individual may be at the same time a member of different societies or communities in different capacities, they feared that his duty

to the one might interfere with his duty to the other*. It has never happened in Christian countries that the civil has been exactly co-extensive with the religious union. Either the same civil community has comprised within itself several or parts of several religious societies, as the Episcopalian and Presbyterian Protestants, the Baptists, Independents, and Unitarians of the British isles; or if all the members of the civil community are of the same denomination of Christians, they form only a part of a larger religious society, as in the case of Spain and Portugal, which, though independent kingdoms, yet are only a *part* of the religious community of the Roman Catholics. In both these cases there has been a confusion of the two societies, and there have been attempts to make the smaller religious identical with the larger civil union, or the larger religious identical with the smaller civil union. In England we have had sufficient illustration of the struggle to make the established or national religion the religion of the entire community; and to such an extent has this been carried at certain periods of our history, that a Nonconformist or Roman Catholic was scarcely considered as a member of the civil union, as a subject of the king of England. With regard to the second case just stated, that is, where the religious is larger than the civil union, and comprehends several states, the attempts made by the head of the Roman Catholic Church to subject all the princes of Western Europe to his sway, and to merge the temporal in the ecclesiastical government, are so well known as not to require illustration. Nevertheless there is no reason why a man should

* See *Letters on the Church*, by an Episcopalian, pp. 35-9.

not be a member of the civil union of the British empire in one capacity, and perform all the duties of a British subject, and be a member of the religious union of Baptists or Quakers in another capacity. Nor is there any reason why a Frenchman or a Spaniard should not be at the same time a faithful subject of the French or Spanish crown, and render obedience to the Pope of Rome in matters ecclesiastical. The danger in respect of all unions, independent of the supreme civil union, is, that men will remember rather that they are members of the one than of the other society; that they will consider themselves rather as Quakers, or Baptists, or Roman Catholics, than as Englishmen or Frenchmen. This is one of the evils which the existence of all associations among the members of a civil community is liable to produce, nor is it peculiar to *religious* unions*; but it should be remembered that the disposition to prefer such associations to the civil union increases in exact proportion as the confidence in the supreme civil government is small, and diminishes in exact proportion as it is great. Hence no means are so little likely to induce several religious denominations to unite peaceably into one civil community as to single out one as the object of special favour and to withhold from the others the same advan-

* It may be observed in general, that a man is inclined to set more value on the importance of his membership of a *smaller* than of a *larger* society, for the obvious reason, that he is more likely to enforce his individual will among few than many. This tendency, however, diminishes with the advance of civilization; as the increased cultivation of the intellect and the moral sympathies teaches men to raise their conceptions to the higher abstraction. "Whenever (says Southey) a national and a sectarian duty come in competition with each other, the national one is that which goes to the wall."—*Life of Wesley*, vol. ii., p. 446. See also Ranke's *Römischen Päpste*, vol. i., p. 218; and above, p. 280.

tages. The members of the unprivileged sects naturally view with an evil eye the government which treats them with disfavour; and they naturally lay much stress on their character as members of a certain religious society, when in virtue of that character they are made by the state the subjects of a species of negative persecution.

Those rulers who have persecuted part of their subjects for professing a form of religion different from their own, or who have given exclusive civil privileges to the clergy of a particular denomination, have probably in most cases been actuated by a combination of the civil and religious motives just mentioned. They have felt it their duty to encourage the diffusion of their own faith; they have also conceived that those who are members of the same church as themselves, are likely to be more attached to them in temporal matters; and they have thought that by persecution, positive or negative, they were striking at once the heterodox believer and the disaffected subject *. But although these motives have probably in most cases been mixed in practice, it is most important to distinguish them in argument, and to press the advocates of an exclusive ecclesiastical system, to state on which ground they rely; whether they connect the state with one particular church, excluding all other churches from this alliance, because it is the duty of a ruler to

* This mixture of motives for religious persecution is well illustrated by a remark of Sir J. Mackintosh in a character of Louis XIV. "His chivalrous feelings (he says) combined with apparent policy to urge him to the extermination of those who were the enemies of religion, as well as royal authority. *Persecution seemed to him the office of a knight, the duty of a magistrate, and the policy of a king.*"—*Life of Mackintosh*, vol. ii., p. 210.

promote the true faith, to legislate (as Paley says) "for the furtherance of human salvation *;" or whether the members of the unprivileged churches are shut out, because they are bad subjects, and because their creed leads to evil consequences in this life. In general, the defender of religious inequality finds it convenient to shift from one set of topics to the other; now to insist on the paramount and sacred duty of governors to diffuse true religion; then to enlarge on the constant loyalty, peaceableness, and good conduct of the favoured persuasion, and on the turbulence, disaffection, and immorality of all others. Thus, in the numerous discussions on the Catholic Question, we were sometimes told that the Catholics ought to be disfavoured, because they owed a divided allegiance to the king, because they were opposed to the Protestant succession, because they were rebellious, because they nourished designs of retaliation and future aggrandizement, because they were swayed by the influence of their priests: all of which arguments relate to the mischievous effects of Catholicism in this state of existence.

* "It will be remembered that the terms of our proposition are these, —'That it is lawful for the magistrate to interfere in the affairs of religion, whenever his interference appears to him to conduce by its general tendency to the public happiness.' The clause of 'general tendency,' when this rule comes to be applied, will be found a very significant part of the direction. It obliges the magistrate to reflect not only whether the religion which he wishes to propagate amongst his subjects *be that which will best secure their eternal welfare*; not only whether the method he employs be likely to effectuate the establishment of that religion; but also upon this further question: whether the kind of interference which he is about to exercise, if it were adopted as a common maxim amongst states and princes, or received as a general rule for the conduct of government in matters of religion, would upon the whole, and in the mass of instances in which his example might be imitated, *conduce to the furtherance of human salvation*."—Paley's Moral and Political Philosophy, book vi., ch. 10.

But in discussions on the question of Church Reform in Ireland, and of the grant to Maynooth, we are told that the state ought not to abandon the cause of Protestantism, that true religion will be extinguished in Ireland without the assistance of the government, that no conscientious man can lend himself to the diffusion of a false creed: which arguments refer to the effects of Catholicism, not in this, but in the next world. Now it is much to be desired that the advocates of civil distinctions in ecclesiastical matters would distinctly state on which of these two grounds they proceed*: for if a person thinks that the members of a certain church are dangerous as subjects, it is unnecessary for civil governors to enter into the religious question; while if he thinks that it is his duty as a ruler to promote by all means in his power the diffusion of his own faith, it is obviously in free governments a mere question of preponderance of numbers in the legislature, and all argument on the subject is nugatory and superfluous.

It is difficult to determine whether, upon the whole, the connexion between church and state is the more mischievous to the church or to the state; but it seems that, except on few and extraordinary occasions, this confusion of powers is extremely mischievous to *both*.

That it is mischievous to the *state* is obvious on many grounds. By deciding that one creed is *true*, it necessarily entails on itself the ill-will and suspicion of those of its members whose creed it thus pronounces to be *false*; by selecting one persuasion as the object of

* Warburton, in his celebrated work on the Alliance of Church and State, distinctly adopts the civil ground: saying, that "the true end for which religion is established is not to provide for the true faith, but for civil utility."—See Parliamentary Talk, p. 47.

its exclusive favour, it creates a discord and jealousy among its subjects, which otherwise would not exist, at least to the same degree. It gratuitously inflicts on itself the evils of disunion and dissension, which otherwise might be altogether absent. So far, therefore, as dissension is created for the purpose of discountenancing a creed of which the moral effects in this world are not on the whole pernicious,—the present and temporal are sacrificed to what are assumed to be the spiritual and post-mortem interests of the community; the advantages of peace and concord in the civil union are foregone in order to afford a part of its members that which another part consider as a better chance of salvation. How far it may be right for a civil government to sacrifice the temporal happiness of its subjects in order to save their souls, we shall presently seek to determine: for the present we only wish it to be observed, that so far as men's worldly interests are sacrificed in order to promote their spiritual welfare, the connexion of the church and state is injurious, and manifestly and avowedly injurious, to the latter.

It is true that the mere abstinence of the state from pronouncing on the comparative merits of creeds will not put an end to religious discord. Under a system of the most entire equality, Protestants and Roman Catholics would still dispute about introducing the Bible into schools, and opening it without reserve to the laity*. The love of power, the love of truth, the

* The reason why Roman Catholics object to the reading of the Bible is very obvious, and it may be stated without giving them just cause of offence. They believe, it is true, everything which is in the Bible; but they also believe other things which are *not* in the Bible. Give an intelligent Chinese or Hindoo the Bible, and it is conceivable that he should form from it a creed identical with the Thirty-nine Articles, or the West-

hatred of superstition, the wish to promote the eternal happiness of others, the love of propagating one's own opinions—these, and other motives, will always prevent the weapons of religious controversy from becoming blunt or rusty. But it is very questionable whether simple theological hatred, not sharpened on the whetstone of temporal and worldly motives, ever prompts men to the active measures which we see caused by religious feelings in countries where the state undertakes to decide on the truth of creeds. It may be doubted whether large bodies of men have ever been animated by genuine religious animosity, as they have been by fear, by patriotism, by the love of revenge or plunder, or even by a sense of religious duty. Bigotry is not diffusive; it does not pervade masses of people; its head-quarters are the prominent leaders and instigators of the multitude, and to them it is for the most part confined. A man may be taught that persons of a different creed—Heretics, Dissenters, Infidels, Pagans, or whatever they may be called—are dangerous and unfit for association: but whenever he may be thrown in contact with any of the denounced class in the ordinary relations of life, as buyer or seller, fellow-workman, fellow-passenger or traveller, neighbour, &c., he begins to find that they are affected in the same way

minster Confession of Faith. But it is inconceivable that he should form it a creed identical with the Roman Catholic creed, inasmuch as that Church follows *tradition* as well as *Scripture*. If, therefore, the Bible is put in a child's hands without explanation; if it is unaccompanied with *other* religious instruction,—unless the child is told that he is to pray to the Virgin Mary, to believe in the good offices of saints, the sacrifice of the mass, confession, &c., it is clear that he can never be a Roman Catholic. Hobbes long ago said, that when reason is against a man, he is against reason. It is equally natural, that when the Bible is against a man, he should be against the Bible.

as himself; that they rejoice at what gives him joy, and complain at what causes him inconvenience; that they are equally liable to hunger, and thirst, and cold; in short, that they have everything in common with himself, except some not very tangible or obvious questions of speculative theology. Intercourse of this kind has a softening effect; people find that the impression which they had formed from the reports current among their own persuasion is more unfavourable than the reality, and thus their mutual distrust gradually wears off when it is discovered to be in a great measure unfounded *. If, indeed, an agitator or controversialist seizes hold of these persons, he may convert their intercourse into an opportunity for collision; but unless men's bad passions are purposely stimulated and turned into this current, it seems as if the healing influence of every-day intercourse predominated.

The Crusades may appear to afford an obvious contradiction to these remarks, as being an instance of religious animosity diffusing itself over large masses of people. But it was a sense of religious duty, not of personal, individual hatred, which led the Christians

* "It is impossible, I think (says Sir J. Mackintosh,) to look into the interior of any religious sect without thinking better of it. I ought, indeed, to confine myself to Christian Europe; but with that limitation it seems to me that the remark is true; whether I look at the Jansenists of Port Royal, or the Quakers in Clarkson, or the Methodists in these journals. All these sects which appear dangerous or ridiculous at a distance, assume a much more amiable character on nearer inspection. They all inculcate pure virtue and practise mutual kindness; and they exert great force of reason in rescuing their doctrines from the absurd or pernicious consequences which naturally flow from them. Much of this arises from the general nature of religious principle; much also from the genius of the gospel morality, so meek and affectionate, that it can soften hard-heartedness, and warm even sophists themselves."—*Life of Mackintosh*, vol. ii., p. 54.

to the Holy Land ; they were actuated by fanaticism, not by bigotry ; by a wish to place Jerusalem under a Christian government, rather than by a thirst after Mahometan blood. " The Christians," says Gibbon, " affirmed that their inalienable title to the promised land had been sealed by the blood of their Divine Saviour ; it was their right and duty to rescue their inheritance from the unjust possessors, who profaned his sepulchre and oppressed the pilgrimage of his disciples." This feeling was not that of Charles IX., when he stood on the balcony of his palace, and glutted his eyes with the sight of the blood of his Protestant subjects. It is a feeling of general hostility, quite compatible with toleration, forbearance, or even kindness to individuals. Hence accounts have been preserved of attachments between Christian knights and native women, as in the romantic story of Thomas à Becket's father, who is said to have been followed to England by a Saracen woman, the daughter of a Mahometan chief, in whose household he had served as a slave. It is moreover to be remembered that the religious zeal which gave rise to the Crusades was by no means a spontaneous ebullition of popular feeling, but was most assiduously inculcated and fomented by persons in authority. The popes, looking forward to an extension of their spiritual empire, urged the temporal rulers to undertake expeditions to the Holy Land, and the latter led their subjects thither without consulting their wishes more than on other occasions.

During the hottest periods of the Reformation, and the persecution which attended it, the severities inflicted on heretics were never the result of a *popular movement*. No one can say that the *people* of France, the Nether-

lands, or Germany, were implicated in the butcheries of the League and the St. Bartholomew*, the atrocities committed under the Duke of Alva, or the horrors of the Thirty Years' War. The executions in Queen Mary's reign emanated from the government. The religious fervour in Scotland pervaded the entire population, and was eminently destructive; but the destruction was directed against the *system*, not against the *individuals*. The churches, abbeys, and convents were thrown down, on the avowed principle of destroying the nests in order to get rid of the rooks. Lord George Gordon's riots in 1780 approach the nearest to a popular movement of bigotry; but the feeling then was not so much against the religion as against the slavish political principles supposed to be combined with it. The Church and King riots at Birmingham, in which Priestley's house was burnt, were likewise rather of a political than a religious character.

There are some cases in which religious bigotry (that is, the desire of promoting one's own religious views, and discouraging those of others by force and threats) has been a transient popular feeling. Such appears to have been the deadly conflict between the inhabitants of two Egyptian towns on account of their worshipping different gods, described by Juvenal†: such were the excesses of the Taborites and the Anabaptists in Ger-

* Capefigue's recent attempt to show that the massacre of St. Bartholomew was the crisis of two popular parties has been completely refuted by Ranke, *Historische Zeitschrift*, vol. ii., p. 603.

† "Inter finitimos vetus atque antiqua simulas,
Immortale odium et nunquam sanabile vulnus.
Ardet adhuc Ombos et Tentyra. Summus utrinque
Inde furor *vulgo*, quod numina vicinorum
Odit uterque locus, quum solos credat habendos
Esse deos quos ipse colit."—xv., 32-8.

many : and such the attacks on the Jews made by the populace in many places during the middle ages. But these outbursts of active bigotry have been short and partial ; nor can they be considered as at all invalidating the general truth of the remark, that persons of different religious persuasions are inclined to dwell together in peace and amity, if they are not stirred up to dissension by their rulers. This tendency to sink the points of theological difference increases in proportion as opportunities for intercourse are afforded. " I have always perceived (says Mr. O'Connell in his evidence in 1825) that when Catholics and Protestants of a liberal class come to know each other personally, the animosity diminishes even by personal knowledge *." " How often (says the Rev. Mr. Stanley in a recently-published pamphlet) do we hear it positively asserted in England, that, by the entire Catholic population, Protestants are held in abhorrence, and their very lives in jeopardy. I doubted the fact before, but am certain now that nothing can be more false. On the contrary, if left to their own unsophisticated, warm-hearted feelings (for I am ready to allow that an ill-disposed, narrow-minded priest may infuse the worst spirit), they are inclined to live upon the best terms with their Protestant neighbours. I omitted no opportunity of probing them, with a view to get at the truth ; and in no one instance amongst the peasantry (and from them my information on this particular point was most likely to be correct), did I detect an atom of antipathy or repugnance †."

There seems, therefore, to be little ground for believing that the effects of religious animosity, as stimu-

* H. C., 1825, p. 127.

† On Religion and Education in Ireland, p. 10. See also above, p. 124.

lating individuals against individuals, are much to be dreaded, if the state does not interfere to exasperate the passions of its subjects, to widen the existing breaches, and to perpetuate by legal distinctions those differences which might otherwise be forgotten or overlooked. And, to return to the point whence we set out, it is clear, that to whatever extent bigotry is produced or increased by the interference of the government in religious matters, in whatever degree quarrels, attacks on persons and property, factions, tumults and disturbances may spring from the same cause, in the same degree the marriage of the church and state is hurtful to the state.

It might, however, be expected, that the union of the church and state would at least be beneficial to the particular religious persuasion which is made the subject of favour and protection; nor indeed is this union so generally injurious to the favoured church, as to the favouring state. But it will be found, in fact, that the state, in conferring the boon, for the most part exacts in return such concessions as more than nullify the advantages springing from its bounty; and that the two parties to the contract are like two countries trading in goods protected by discriminating duties, each of which loses by purchasing inferior articles at a high price, when, if the law permitted, it could purchase elsewhere better articles at a lower price. The price paid for the protection of a church by the state, is in most cases its *independence*; a religious community within a civil community making laws for itself is naturally viewed with suspicion by the civil governor; and the state, therefore, exerts its influence to silence the purely ecclesiastical organs, and to merge the spi-

ritual, as far as possible, in the temporal authorities. In this manner the Established Church of England has *de facto* lost its Convocation, and has now no power of acting as a religious body, and of reconsidering its discipline, its rites and ceremonies, or its articles of faith. This is a power which every other religious society in the British Isles possesses; nor would the Episcopalian Protestants long want it, if they were not oppressed by their connexion with, in this case their subjection to, the state.

By these remarks, it is not meant to be implied that all protection of a church by the state is necessarily injurious to either. They refer only to the exclusive protection of one religious persuasion, accompanied with civil privileges; not to a general protection of all persuasions, extending only to pecuniary assistance, and not interfering with their ecclesiastical independence.

The great principle which ought, in our opinion, to serve as the basis of all legislation in ecclesiastical matters, is, that *the state is no judge of the truth of creeds*. In proportion as this principle has been violated, all ecclesiastical legislation has been mischievous and oppressive. The religious persecutors of the fifteenth and sixteenth centuries were far more logical and consistent in their views than the half-tolerant governments of the present day; they avowed the doctrine that the state is the judge of creeds, and carried their principle to its full and legitimate extent*. They thought not

* We are not aware of a plainer statement of this principle than is to be found in the *Restitutions Edict*, issued by the Emperor in the Thirty Years' War: 'According to the true meaning of the religious peace (says this document), no subject is free to choose his own confession, but the sovereign decides as to the religion of the country, and those who dissent from it will be permitted to quit the land.' See Raumer's *Geschichte*

merely that it was their *right*, but their *duty*, to punish dissenters from the creed which had received the sanction of the sovereign ; that it was incumbent on the magistrate (in the words of our litany) " to execute justice and to maintain truth." In so doing they showed their sincerity and their resolution ; they were prepared to hazard the safety and peace of kingdoms in order to spread the true and only saving faith ; they sacrificed the temporal interests of thousands in order to protect the spiritual interests of the community. These persecutors not only meant well, but their policy was successful to a very great extent. Nobody can doubt that the wars of the League, the Duke of Alva's measures in the Low Countries, the expulsion of the Moors from Spain, the Thirty Years' War, and the revocation of the Edict of Nantes, most materially assisted the cause of Catholicism. Unquestionably the number of Protestants would have been far greater in continental Europe than it now is, if Catholic governments had not considered it incumbent on them to force their own faith on their subjects. In like manner it is evident that the firm and vigorous conduct of Elizabeth, in defence of Protestantism, and her identification of the interests of England with those of the reformed faith, powerfully contributed to its triumph in this country. It is often said that religious persecution is necessarily an unsuccessful and mistaken course of policy * ; and the case

von Europa, vol. iii., p. 467. *Banishment* in this case was the merciful alternative, the other alternative would have been *death*. The Emperor of Austria has now disclaimed the right of deciding on religious doctrines : see Dal Pozzo, Catholicism in Austria, p. 120.

* For example, Paley says, ' Persecution produces no sincere conviction, nor any real change of opinion ; on the contrary, it vitiates the public morals by driving men to prevarication, &c.'—*Mor. and Pol. Phil.*, b. vi., ch. 10. See *Letters on the Church*, by an Episcopalian, p. 28.

of Ireland is quoted, as proving that a persecuted faith has prospered under oppression, and an established creed has dwindled away under protection. But this failure has arisen, not because the policy is self-counteracting, but because it was not carried out with energy and determination; the laws were not sufficiently severe, and were not executed with sufficient severity for their purpose. If the government found that by prohibiting the service of the mass and the practice of the priesthood, by subjecting the laity to civil disabilities, and by offering them bribes to become Protestants, they were unable to convert the Catholics, they ought (if they had been prepared to act resolutely on their own principle) to have imposed a Protestant test, and to have executed or banished every person who refused to take it. Even Cromwell gave the Irish Catholics the alternative of Hell or Connaught. Austria and Bohemia gave no such alternative to their Protestant subjects in the 'Thirty Years' War; no Connaught was allowed to them, but they were expelled in thousands from the country. If this policy had been followed, and the English government had been strong enough to enforce it, there would not now have been more Catholics in Ireland than there are Moors in Spain*. The persecuting policy, when vigorously carried out, may

* It is most probable that this policy would have been tried with the Irish, if their country had not been an *island*. The German Protestants, when their rulers put them to the alternative of conforming to Catholicism or leaving the country, took refuge in the neighbouring Protestant states. So the French Protestants, in the reign of Louis XIV., chiefly migrated to Germany and Holland, although a considerable number crossed the sea to England. Even Cromwell, however, was willing to surrender one of the four provinces of Ireland to the Catholics. The difficulty of exterminating the Moors from Spain was much increased by

be unjust and barbarous, but it is at least effectual ; but when irresolutely and timidly pursued, and restrained by some sense of justice and mercy, it is a mere gratuitous infliction of pain ; it disorganizes society ; it debases the oppressed sect ; it breeds up a malcontent and disaffected race ; it endangers the very existence of government, and, after all, it does not effect its end. To such objections, though in a minor degree, the present policy of this country is liable ; it still assumes that the state is the judge of creeds, but rejects all active persecution, and all (or nearly all) civil disability on religious grounds, and only gives positive privileges and advantages to one persuasion. It does not say, "It shall be worse for you, if you dissent from the creed which the state holds to be true ;" but it says, "It shall be better for you, if you assent to that creed." It abstains from punishing dissenters, and contents itself with rewarding the professors of the select faith. But by singling out one persuasion as the object of its favour, even if it does not impose any disabilities on other persuasions, it as much sanctions the principle that the

their being divided by the sea from any other Mahometans. As it was, the providing them with ships cost the king 800,000 ducats ; and those who were not wrecked or murdered by the crews, for the most part perished in Africa. It is not every government that is sufficiently resolute, or sufficiently wicked, to spend large sums of money in butchering its subjects by tens of thousands, because they do not profess the right creed. It is moreover to be observed, that the exterminating process is far more likely to be effectual with persons professing a heterodox creed, than with ordinary malefactors, because religious faith is usually a matter of inheritance. If all the thieves were exterminated in any country, the descendants of the present generation are not the less likely to become thieves : but if all the Catholics (for example) were driven out of Ireland, it is not likely that many children of Protestants would become Catholics. No Spanish Catholic has become a Mahometan since the expulsion of the Moors ; but transportation has not got rid of the English thieves.

majority of the members of the legislative body are to judge of religious truth for the whole nation, as if all dissenters were extirpated by fire and the sword.

No rational and stable legislation in church matters can be adopted till we recognize the principle that the state, as state, is no judge of creeds. Civil government exists solely for the protection of men's temporal interests. It ought not to carry its regards beyond the grave. It views religions solely in their temporal character; with their truth or falsehood, their greater or less tendency to promote man's happiness in a future state, it has no concern. It is the lord, not of the dead, but of the living. "If" (says M. de Tocqueville in his very able work on the United States) "it is of great importance to man as an individual that his religion should be true, such is not the case with the community. The community has nothing to hope or fear from another life; and what is important to it is not so much that all its members should profess the *true* religion, as that they should profess *some* religion*."

In fact, it is only by a metaphor, and that not a very luminous one, that a state can be said to judge, or have opinions, on any subject, whether religious or not. "A community (for instance, a church or a state) is no really existent person; but is considered as such only in respect of its institutions and public acts. Independent of these, it has no conscience, no judgment, no approbation or disapprobation, no opinion or belief. When a state is said to 'judge' such and such a kind of conduct or principle to be faulty, this or that act to be an offence, the meaning is that it has *laws* against

* La Démocratie en Amérique, vol. ii. p. 221.

them denouncing penalties either positive or negative, either fine, imprisonment, &c., or privations and disabilities. For the state never speaks but in its laws, and the law never speaks but to command or to forbid; and that under a penalty*." A *state*, therefore, cannot properly be said to be of any religion; it cannot be said to be Protestant, or Catholic, or Mahometan†. Men do not combine into a civil community for religious purposes, and therefore a civil community, when collectively considered, cannot be said to have any religious character. It is evident that when a ruler, in his *civil* capacity, undertakes to decide on *religious* questions, he as much outsteps his proper province as an officer in the army, who, being also the member of a club, should insist on compelling all the other members of it to go through the marching exercise.

It is a remarkable circumstance that Gustavus Adolphus, although the chief of a religious party, in an age when intolerance prevailed among all persuasions, was nevertheless aware of the impropriety of the

* Letters on the Church, by an Episcopalian, p. 158-9.

† "No government whatsoever is, properly speaking, either Catholic, Protestant, or Mahometan. It is as incorrect to say that a government belongs to this or that religion, as to affirm that the substance of marriage lies in the sacrament. Both these assertions may be made in an improper sense, and with a view to some particular object; but then the general consequences usually deduced therefrom cannot be inferred."—Dal Pozzo, Catholicism in Austria, p. 202. The doctrine of the law of Austria on this point it thus laid down by Count Dal Pozzo: "The state, considered as the state, is not the subject matter of religion; it is not combined with any religious association or church; for the compact of union and of submission is not grounded on the idea that its subjects should profess any one religion in preference to another. The sovereign of every state, as well as his subjects, is at liberty to enter or not into the society of the church. It is a purely accidental circumstance, considered relatively to the state, whether all its members, or any part of them, belong to the church."—Ib., p. 89.

civil governor interfering in spiritual concerns. "In the treatment of Protestants and Catholics (says Galeazzo Gualdo, an Italian Catholic) he made no distinction. His principle was, that every man who obeyed the laws was orthodox in his faith. He said that it was the duty, not of princes, but of the clergy, to save men from hell*."

There are three modes in which the state may deal with different religious persuasions. It may support the clergy and provide for the worship of *all*, or *some*, or *none*. The first of these systems has been followed in France, Belgium, Austria, Prussia, and other German states; the second in England; the third in the United States. In order to compare the merits of these respective plans, as applicable to the case of Ireland, it will be first necessary to determine, with as much precision as we may be able, the meaning of the principal terms by which these several systems are designated.

"Religious teachers (says Adam Smith), in the same manner as other teachers, may either depend altogether for their subsistence upon the voluntary contributions of their hearers, or they may derive it from some other fund to which the law of their country may entitle them; such as a landed estate, a tithe or land-tax, an established salary or stipend." The former of these two methods is now generally known by the name of the *voluntary system*: the latter is called the method of *endowment*; which name seems to be properly applied, whether the fund is derived from the gift of an individual, and settled on the object of his bounty in perpetuity, or is annually paid by the

* Cited in Kohlrausch's *Deutsche Geschichte*, p. 470.

government*. By the *establishment* of a religion, we understand not merely that it is endowed, but that it has received from the state certain political privileges ; that it has a legal precedence of other persuasions, and that its clergy are raised above the clergy of any other denomination †, not only by their endowment, but also by their civil position. The Presbyterian church of Ulster affords a perfect example of a church which is *endowed* but not *established*. The same is likewise the case with the Protestant and Roman Catholic churches of Prussia. The king and court of Prussia are Protestant, but the Lutherans and Calvinists (who are now united into one church) have no legal precedence over the Catholics. There are certain private

* In strictness of speech, *endowment* would be confined to incomes permanently settled on the donees, and originally springing from private munificence. The following are the definitions of *dos* given by Ducange:—"Dos: donatio, res testamento donata." "Dos ecclesiæ: quod ad sarta tecta et clericorum in ea deservientium sustentationum ab ædificatore confertur. Neque enim licet episcopo ecclesiam aut oratorium consecrare, nisi dos sufficiens clericis in eis deservituris ab ædificatoribus conferatur." "Se putet inde Dei dotare manentia templa," is a verse cited by Ducange from Fortunatus, lib. viii. carm. 1. The same is the meaning of the word *fondation* in French. "On dit (says Turgot) *fonder une académie, un collège, un hôpital, un couvent, des messes, des prix à distribuer, des jeux publics, &c.* *Fonder*, dans ce sens, c'est assigner un fond ou une somme d'argent pour être employée à perpétuité à remplir l'objet que le fondateur s'est proposé, soit que cet objet regarde le culte divin ou l'utilité publique." This passage occurs in Turgot's very remarkable article *fondation*, in the *Encyclopédie*, in which are to be found all the doctrines on the mischievousness of charitable endowments, and the inexpediency of allowing testators to create perpetuities for public purposes, which have recently been brought forward so prominently into discussion.

† Paley says that "the notion of a religious establishment comprehends three things: a clergy, or an order of men, secluded from other professions, to attend upon the offices of religion; a legal provision for the maintenance of the clergy; and *the confining of that provision to the teachers of a particular sect of christianity.*"—Mor. and Pol. Phil., b. vi. c. 10.

endowments belonging to the ministers of each persuasion, and when these are not sufficient, the government makes up the deficiency. Both churches are therefore *endowed* without either being *established*. On the other hand, the *Established* Church of England and Ireland has legal rights which a simply *endowed* church would not possess; such as that its prelates have a seat in one of the Houses of Parliament; that its members have an exclusive right of admission to the Universities of Oxford and Cambridge, &c. Now it is to *endowment*, and not to *establishment*, that the voluntary church system is properly opposed*, and hence it would not be fair to infer that because a person disapproved of establishments, he therefore approved of the voluntary system: he might think it both unjust and inexpedient for the state to single out one persuasion as the object of its favour; he might likewise think it injurious to society that the ministers of religion should be left to depend on the bounty of their congregations, and therefore he might wish that the state should extend the principle of endowment to *all*.

We have already stated our opinion, that the state should hold itself perfectly impartial with respect to different religious persuasions. This impartiality may be observed either by endowing the clergy of *all* persuasions, or leaving them *all* to be maintained on the voluntary principle. We confess that if there were only two alternatives in Ireland, either to maintain the Established Church on its present exclusive system, or to leave all religious worship unprovided for, we should

* It has tended much to confuse the reasonings on this question, that an *established* church and an *endowed* church have been taken as synonymous. Such, for example, seems to be the use of the two terms in question, in Dr. Chalmers' able work on endowments.—See p. 109, *seq.*

without hesitation adopt the latter; being convinced that the Irish Roman Catholics will always remain disaffected to the state as long as the Protestant religion is made the object of its undivided favour. It seems to us, however, a far preferable course, instead of abolishing, to extend the bounty of the state, and to endow the Roman Catholic, as well as the Episcopalian Protestant, and Presbyterian clergy.

The objection usually made to this plan is, that it is the duty of rulers to advance the cause of true religion, and that a man cannot conscientiously assent to the endowment of a church, which he believes to teach false doctrine. The reasoning on this head is so important in its consequences, that we are induced to cite a passage from a recent defence of the Established Church, in which the orthodox doctrines are fully stated.

“Pleading against the position, that it is the duty of a Christian ruler to provide for the spread of the Gospel among his people, a Dissenting writer says, ‘If the obligation of the monarch to provide a religion for the people rests on his regal relation to them, then it is the duty of all sovereigns to do this; and the Sultan of Turkey must establish Mahomedanism, the Emperor of China Paganism, and the Emperor of Austria Popery.’ The objector (continues the defender of an Establishment) has confused himself, partly by forgetting the real point in dispute, but mainly by forgetting his own first principles. He falls into the modern ‘liberal’ style of talking, as though there were many religions of various degrees of value; and *as though an argument which applied to one must of necessity apply to all.* But this mode of speaking on these subjects is most fallacious and mischievous. *There is but one true religion, and there never has been, nor ever will be, any other.* All the rest are false, ruinous, and opposed to the honour of God. This cannot be too often or too strongly stated, or too

constantly kept in view. *The inferences are obvious.* The Christian who goes into a Pagan country and there attacks the existing religion, exposes the character of the false gods, and instigates the people to throw off their yoke, acts laudably and well. The unbeliever, on the other hand, who goes forth among our Christian population, assaults their faith, speaks evil of the Son of God, and aims to overthrow his worship, acts wickedly, and against the law of God. The magistrate who restrains and coerces, or punishes the first of these characters, opposes himself to God, and is a persecutor. The magistrate who restrains, coerces, or punishes the second, obeys the command of God, and is not a persecutor. So entirely are these matters governed by this one simple and eternal truth—that there is but one revelation of the will of God, and of the way of salvation; that such revelation is published to all mankind, with abundant evidence of its verity; and that to it universal obedience is due*.”

This doctrine (which would clearly justify the massacre of St. Bartholomew and the Spanish Inquisition) proceeds upon the supposition that the members of your persuasion have rights against the rest of the community, but no duties; that the members of other persuasions have duties towards you, but no rights. This difference arises from your religious creed being true, and their religious creed being false; of which truth and falsehood *you are the sole judge.* “The doctrine,” (says the *Edinburgh Review*) “which, from the very first origin of religious dissensions, has been held by all bigots of all sects, when condensed into a few words, and stripped of all rhetorical disguise, is simply this:—I am in the right, and you are in the wrong. When you are the stronger, you ought to tolerate me, for it is

* *Essays on the Church*, by a Layman, (second edit., 1834,) p. 22. It is clear that the writer, although he limits his argument to Paganism, means it to apply to *all* difference of faith.

your duty to tolerate truth ; but when I am the stronger I shall persecute you, for it is my duty to persecute error*." In like manner the Protestants of England and Ireland say to the Roman Catholics—"We are the more numerous and stronger body, and therefore we give the church endowment exclusively to our own clergy ; and as our form of Christianity is pure, and your form is corrupt, it is your duty to acquiesce, without repining, in this arrangement. But when you propose to us to allot a portion of the public revenue to the payment of your clergy, we tell you that we have a right not to contribute to the diffusion of religious error, and that we should be forcing our consciences if we voted money for the advancement of popery." It is clear that, in using this language, the English Protestants claim the benefit of a principle in their own favour which they will not admit in favour of others ; that they hold it wicked in themselves to assist in teaching a religion which *they* believe to be false ; but they do not hold it wicked in others to assist in teaching a religion which *those others* believe to be false. They compel the Dissenters, as being the minority, to do that which they, being the majority, refuse to do themselves. It is, in fact, an instance of the tyranny of the majority over the minority ; a tyranny the more enduring, because it has not only numbers, but also a semblance of justice on its side. Nothing can be more inconsistent than the advocates of the high church principles on this subject. They press to the utmost their advantage of superior numbers, and constantly insist that England and Ireland being united, the Protestants ought to be considered as the majority, and

* On Sir J. Mackintosh's *History of the Revolution*, No. 124, p. 304.

that Ireland ought not to be reckoned alone ; yet they proclaim that the principle of a church establishment depends on the *truth of its doctrines*, and not on the *numbers of its followers*. They are ready to join with those who blame the democracy of the United States for encouraging the tyranny of the majority over the minority ; yet they insist on the wickedness of assisting any persuasion except that of the majority, and bind Roman Catholics with oaths not to subvert the Protestant Established Church. They denounce a Roman Catholic who complains of contributing to the support of a church in the doctrines of which he does not believe ; but propose to them to contribute to the support of the Roman Catholic Church, and they say that however expedient it may be in a temporal point of view, it is wicked to support a soul-killing religion.

“ Eheu

Quam temere in nosmet legem sancimus iniquam ! ”

A Roman Catholic member of parliament naturally says, “ I believe my religion to be true, and your religion to be false ; I cannot therefore understand why you are to make me swear that I will not subvert the Protestant establishment, while at the same time you protest against being parties to any measure for the support of the Roman Catholic clergy. You have one rule for the Protestant and another rule for the Catholic part of the legislature.” It is in our opinion logically impossible to find any resting-place between the two following extremes. Either it is the duty of a member of the legislature to use all human means for the propagation of his own religious belief—to slay, burn, fine, confiscate property, banish, take children from their parents, proscribe the clergy, and prohibit the

public worship of all heterodox sects ; or a member of the legislature, as such, has no cognizance of the truth of creeds ; and he may in that capacity, without violence to his conscience, extend the favour of the state to the clergy of all persuasions.

The conscientious scruples of which we hear so much when a state provision for the Irish Roman Catholic clergy is in question, seem singularly capricious and uncertain, for they are never aroused by other causes which seem equally well calculated to excite them. Nothing is said of the wickedness of an Episcopalian Protestant government maintaining a Presbyterian church in Scotland, and also in Ireland ; of the wickedness of a Protestant government maintaining a Roman Catholic church in Lower Canada and Malta ; of the wickedness of a Christian government countenancing and protecting Mahometan and Pagan worship in Hindostan and Ceylon. On these subjects the consciences of our Protestant majority are as dull and callous as they are tender and sensitive on the question of assisting in the maintenance of the Irish Roman Catholic clergy. But the religious canon of civil government, if good for one difference of creed, is good for all ; and if it is violated once, it may as well be altogether abrogated. If rulers may sacrifice their religious duties to the temporal interests of their subjects in one case, they may as well make the sacrifice consistently, and determine in all cases, when acting as civil rulers, to consider only the temporal, and not the eternal welfare of the community.

While the civil ruler ought to abstain from intermeddling in ecclesiastical matters, he ought nevertheless not to be blind to the difference of moral and tem-

poral results produced by different forms of religious faith. When indeed any religion sanctions or encourages acts which are manifestly mischievous in this life, (as, for instance, human sacrifices,) it is not only the right, but the duty of the state to interfere; in other words, the state should prohibit all pernicious acts, whether recommended by the name of religion or not. For the same reason that the civil magistrate ought to strike those who offend in the name of God, he ought likewise to be aware of the various moral effects of the several religious persuasions in the community; and with this view it is desirable to consider what foundation there may be for the assertions often made as to the connexion of Catholicism with turbulence and laziness, and of Protestantism with tranquillity and industry. That the disposition to outrage in Ireland springs from causes wholly independent of religion has been shown in a former part of this volume; and it is evident that, in general, Catholicism cannot be said to lead to crime and disturbance, as the tranquil and contented state of the peasantry in many Catholic countries amply proves. The other part of this question, viz., the tendency of Protestantism to promote commercial activity, is well discussed in the following remarks extracted from a recent pamphlet :—

“ There exists, apart from all intolerant or party feelings on the question, a cause, and we believe a primary one, of the retrograde position, as compared with England and Scotland, in which we find Ireland at the present day, in the circumstance of the Roman Catholic religion being the faith of its people. Let us not be misunderstood; our business does not lie in polemics, and far be it from us to presume to decide which mode of worship may be most acceptable to the great Author of our being. We wish to speak only of the tendency

which, judging from facts that are before us, this church has to retard the *secular* prosperity of nations.

“Probably there is no country in which the effects of the Catholic and reformed religions, upon the temporal career of communities, may be more fairly tested than in Switzerland. Of twenty-two cantons, ten are in the majority of the population Catholic, eight Protestant, and the remaining four are mixed in nearly equal proportions of Protestants and Catholics. Those cantons in which the Catholic faith prevails are wholly pastoral in their pursuits, possessing no commerce or manufacturing industry beyond the rude products of domestic labour. Of the mixed cantons, three (Appenzell, St. Gall, and Aargau) are engaged in the manufacture of cotton; and it is a remarkable feature in the industry of these, that the Catholic portion of their population is wholly addicted to agricultural, and the Protestant section to commercial pursuits. All the eight Protestant cantons are more or less engaged in manufactures. Nor must we omit to add, which every traveller in Switzerland will have seen, that in the education of the people, and the cleanliness of the towns, the commodiousness of the inns, and the quality of the roads, the Protestant cantons possess a great superiority over their Catholic neighbours; whilst such is the difference in the value of land, that an estate in Friburg, a Catholic canton, possessing a richer soil than that of Berne, from which it is divided only by a rivulet, is worth one-third less than the same extent of property in the latter Protestant district.

“Such are the circumstances, as we find them, in comparing one portion of the Swiss territory with another. The facts are still more striking if we view them in relation to the states immediately around them.

“Switzerland being an inland district, far removed from the sea, is compelled to resort to Havre, Genoa, or Frankfort, for the supply of the raw materials of her industry, which are transported by land three, four, or five hundred miles *through Catholic states*, for the purpose of fabrication, and the goods are afterwards reconveyed to the same ports for exportation to America or the Levant; where, notwithstanding this heavy

expense of transit, and although Switzerland possesses no mineral advantages, they sustain a prosperous competition with their more favoured but less industrious neighbours and rivals.

"If we refer to France, we shall find that a large *dépôt* of manufacturing industry has been formed upon the extreme inland frontier of her territory on the Rhine, where her best cottons are fabricated and printed, and conveyed to the metropolis about three hundred miles off, for sale. Alsace, the Protestant district we allude to, contains no local advantages, no iron, or coals; it is upwards of four hundred miles distant from the port through which the raw materials of its manufactures are obtained, and from whence they are conveyed entirely by land, passing through Paris, to which city the goods are destined to be again returned. Thus are these commodities transported overland more than seven hundred miles, for no assignable reason, except that they may be subjected to the labour of Protestant hands*.

"Germany gives us additional facts to the same purport. If we divide this empire into north and south, we shall find the former, containing Prussia, Saxony, &c., to be chiefly Protestants, and to comprise nearly all the manufacturing and commercial interest of the country; whilst the latter are principally Catholic, and almost wholly addicted to agriculture. Education, likewise, follows the same law here as in Switzerland; for whilst the Catholics amount to about twenty millions, and possess but five universities, the Protestants support thirteen, with only a population of fourteen millions †.

* The author has omitted to mention, that the large bodies of Protestants driven from France by the revocation of the Edict of Nantes (said to have amounted to 600,000) belonged chiefly to the manufacturing classes; and they introduced different kinds of manufactures in England, Holland, Brandenburg, and Switzerland. See Macpherson's *Annals of Commerce*, vol. ii. p. 616-620. "The people whom Louis thus violently forced out of his kingdom (says Macpherson) were generally throughout all France the best merchants, manufacturers, and artificers of that kingdom."

† The Prussian, as well as the Scotch system of popular education, was likewise originally the offspring of the Reformation.

"If we turn to Catholic Italy, where there is very little manufacturing of any kind, we yet find that the commerce of the country is principally in the hands of foreigners. The merchants of Genoa, Naples, Trieste, &c., are chiefly British, Swiss, or Germans, whose houses again have their own agents in the principal interior cities, so that the trade of the Italian states is in great part transacted by Protestants. We need scarcely add to these statements the fact, which all are acquainted with, that in Ireland the staple manufacture is almost wholly confined to the Protestant province.

"We shall probably be reminded of the former commercial grandeur of Spain and the Italian republics: this was, however, to a great extent, the effect of monopolies, which must, from their nature, be of transient benefit to nations; and, moreover, they flourished prior to the complete triumph of the Reformation, and our object is merely to exhibit a comparison between Protestant and Catholic communities of the same period. Besides, Spain and Italy have left no evidences of the enlightened industry of their people, such as are to be seen, for example, to attest the energy of the Dutch, in the canals and dykes of Holland.

"We have thus briefly glanced at the comparative conditions of the Catholic and Protestant interests in Europe, and disclaiming as we do any theological purpose, we trust we may demand for our argument—what is not often accorded to this invidious topic—the candid attention of our readers. The above facts, then, go far to prove, that, in human affairs at least, the reformed faith conduces more than Catholicism to the prosperity of nations*."

There are some facts on the other side which the author of these remarks has omitted to notice: such as the manufacturing and commercial prosperity of the large towns of Flanders, before the Reformation; and the great embankments of the Po and other rivers in

* England, Ireland, and America. By a Manchester Manufacturer. pp. 14, 15.

Lombardy, and the works at Venice; to say nothing of the mercantile and maritime enterprises of the Venetians, the Genoese, the Spaniards, and the Portuguese, which cannot be considered as exclusively attributable to monopolies. Moreover it is doubtful whether the most active and industrious part of the population in Western Europe did not adopt the reformed faith, because they were also the most enlightened: whether their prosperity and their religious opinions were not joint effects of the same cause. Nevertheless it can scarcely be denied that the general view taken in the above passage justifies the opinion that the reformed is more favourable than the unreformed faith to the causes of secular prosperity, viz., energy, industry, independence of mind, and the desire and aptitude for self-government.

It is on these grounds, and because existing rights ought not to be disturbed without a strong and manifest reason for the change, that we would abstain from abrogating the present Protestant church establishment in Ireland. But while we gave the preference to the Protestant clergy on the ground of actual possession, we would at the same time provide that the establishment should be reduced to a scale commensurate with the wants of the Protestant population. So long as the penal laws were in force, and government held that every Irishman either was or ought to be a Protestant, it was quite consistent to maintain a Protestant establishment which should be sufficient for the wants of the entire population; but now that this principle is abandoned, and it is admitted that an Irishman may legally be a Roman Catholic, there can be no excuse for not reducing the state provision for the Protestants to

a level with their *actual*, not their *possible* numbers. The best mode of bringing about this result seems to be that all the annual proceeds of church property in Ireland, whether tithes, ministers' money, or bishops' lands, should be drawn into a common fund, and that the management of the property and the collection of its annual proceeds should be transferred to lay persons, appointed either by dioceses or some other more convenient division, and subject to the general superintendence of the ecclesiastical commissioners. The most desirable course would be, if Protestants of all denominations, who accept the doctrine of the Trinity, were, as in Prussia, united in one communion, and placed under one system of church government. But as this would probably be impracticable (at least for the present) in Ireland, it becomes necessary to find some means of providing for the worship of the Protestants of the Thirty-nine Articles apart from other Trinitarian Protestants. The difficulty of making such a provision on an economical footing is much enhanced by the fact already noticed, that the Protestants of the Established Church are thinly scattered over nearly the entire surface of Ireland. Under these circumstances it is impossible that one minister should be able to provide for the spiritual wants of as many persons as if they were collected within a small area; but the number of clergymen required for the 852,000 Episcopalian Protestants might be considerably reduced if a *congregational* instead of a *territorial* system was adopted, and if as many persons were assigned to each minister as could conveniently attend the church or churches at which he would officiate*. In this manner we should

* A change similar to that recommended in the text has been brought

get rid of the absurdity of benefices without Protestants and churches; and the cure of souls would no longer be independent of the number of souls to be cured. Under such a system as this, when the present parochial divisions were got rid of, and the tithes were paid into a common fund, there would be no difficulty in assigning a stipend to each minister according to the number of his congregation and the extent of his district, and by these means apportioning pay to duty. When the number of clergymen had been thus reduced, there would be no necessity for keeping up the Episcopal establishment contemplated by the Church Temporalities Act, viz., two archbishops and ten bishops. Probably four bishops, one for each province, would be an ample provision for the government of such a church. As the Presbyterian clergy in Ireland are maintained on the congregational system at an expense of 25,000*l*.

about by the force of circumstances in the ecclesiastical system of the United States. "The choice of the pastor (says Mr. Reed) is frequently spoken of as resting with the parish. The term *parish*, however, does not now describe, as with us, geographical limits; it denotes those persons who compose the congregation, and subscribe to the support of its institutions. In some cases the parish or congregation is allowed a confirmatory voice on the election of the church; this is not deemed desirable, but it is not found to produce any serious evil. . . . I am now to refer you to the tenure of ecclesiastical property. You are to understand that there are two bodies that are recognized by the law as holding, and claiming to hold, such property. They are the *church* and the *parish*, and they are both corporate bodies. The church is precisely what it is with us. The parish denoted place as well as persons; it now, by the legal changes which have been effected, denotes persons rather than place. The persons in this relation, who are deemed the parish, are the subscribers; and the term, therefore, is nearly synonymous with our term congregation, as distinguished from church. The church has the right to choose the minister; but the parish have a vote on the choice."—Reed and Matheson's *Visit to the American Churches*, vol. ii., pp. 122, 129. In this phraseology, *church* is a select body within the *congregation* or *parish*: a managing committee of the entire congregation.

a year, (the amount of the *Regium Donum*,) and as the Presbyterians are only about 200,000 fewer than the Episcopalian Protestants, it may be reasonably expected that between tithes and bishops' lands the surplus, after the lives of the present sinecure or nearly sinecure incumbents, would not be inconsiderable. This surplus we should propose first to devote to the endowment of the Presbyterian Church: whatever remained might, according to the ministerial project, be employed for purposes of education. The best course, indeed, would be, if as in Prussia (where education is not considered a secular purpose) the provision for religious teachers, places of worship, and schools, was made from the same fund.

Having thus briefly explained the principle of reform which ought in our opinion to be followed with respect to the Established Church of Ireland and its endowment, we proceed to trace the evils which flow from the maintenance of the Roman Catholic Church of that country by means of the *voluntary system*.

Preferring, as we do in general, the principle of endowment to the voluntary system, for the maintenance of religious as well as other teachers, we must begin by admitting that some objections have been strongly urged against the latter method, to which we do not consider it as justly liable. The principal of these is, the argument so much pressed by Dr. Chalmers in his work on Endowments, that society, if left to itself, will never provide sufficient means for religious worship, especially in those places where there is the greatest need of it*. He particularly instances the case of the United States; and after speaking of the desertion of

* See also Paley's *Moral and Political Philosophy*, book vi., ch. 10.

chapels alleged to have been produced by the abolition of a public provision for the clergy in New Hampshire, he proceeds to say :—

“ Certain it is that in other places of the Union, even in those which have been settled so long as now to have reached a high state both of wealth and population, there is abundant proof of an extremely feeble demand for the lessons of Christianity. The rapid increase of human beings is followed up at a very sluggish and unequal pace by an increase in the means of religious instruction. The effect of this lethargy is, that whole breadths of territory are in a state of spiritual desolation; and the families by whom they are occupied, almost utter strangers to the habits or the decencies of a Christian land, are represented as being scarcely above a state of practical heathenism *.”—p. 111.

The difficulties of providing for the religious worship and instruction of the thinly scattered inhabitants of newly cleared districts are very great, whatever system of payment may be adopted ; and it appears that, on the verge of the advancing population, both in Canada and the United States, there is always a certain tract of country in which there is a practical neglect of reli-

* The only authority to which Dr. Chalmers appeals is an extract from the narrative of a tour by the Rev. Sam. J. Mills, which begins as follows :—“ Never will the impression be erased from our hearts that has been made by beholding those scenes of wide-spreading desolation. The whole valley, from Lake Erie to the Gulf of Mexico, is as the Valley of the Shadow of Death. Darkness rests upon it. Only here and there a few rays of gospel light pierce through the awful gloom.”—p. 189. Nothing definite can be inferred from such language as this. A stranger, unacquainted with the strong expressions of the enthusiastic religious writers of this country, might infer that Christianity had only been recently introduced into certain districts of England, and was quite unknown in a large part of Ireland, if he construed literally the statements of the Evangelical and Methodist Magazines.—See the Edinburgh Review, vol. xi., p. 350. The Voluntary System, by a Churchman, p. 160.

gious observances *. But the recent travels of Messrs. Reed and Matheson have proved beyond a doubt, by precise and detailed statements, that generally throughout the United States an ample provision exists for the public worship of all persuasions, and that a strong religious feeling is at least as prevalent there as in any other civilized country. Without entering into details as to the provision for religious worship in different towns and states of the Union, it will be sufficient to state the general results from the table appended to the work just mentioned, which may probably be taken as a fair approximation to the truth. The free population of the twenty-four states, of which the religious statistics are given, amounted in 1830 to 12,719,941 persons; the number of ministers was 11,079; of churches, 14,511. This gives 1148 persons to each minister, and 876 persons to each church. In Ireland, where the provision for the members of the Established Church is confessedly too large, there were, in 1834 852,064 members of the Established Church, 2086 ministers, and 1338 churches, which gives 408 persons to each minister, and 636 persons to each church. There were at the same time in Ireland, 642,356 Presbyterians and 452 Presbyterian places of worship, which makes 1421 persons to each place of worship. Among the Roman Catholics of Ireland the provision is still more scanty, the ratio being 3053 to each place of worship. From this general comparison, as well as from the detailed accounts of the several localities, it appears established beyond controversy that religious institutions may be adequately supported on the voluntary system, and that the ministers may receive from

* See Reed and Matheson, vol. ii. pp. 338, 344, 349.

voluntary payments such a stipend as may enable them to move in a respectable condition of life *. It is singular, however, that before a statistical account of the religious institutions of the United States was obtained, the case of the Irish Catholic Church should not have been adverted to in reference to this question. The Irish Catholic clergy have been, since the Reformation, supported exclusively on the voluntary principle, and we never heard it alleged that there was a want of Catholic clergymen in Ireland, or that (since the abrogation of the penal laws) the people were not instructed in their religious duties ; and in this case the voluntary principle has had to contend with peculiar difficulties, which are absent in the United States, inasmuch as the Irish Catholics belong, with few exceptions, to the middle and poorer ranks, and the great mass of them are in a state of extreme poverty ; whereas, in the United States, every persuasion contains its fair proportion of the wealthier classes.

Other objections have likewise been made to the voluntary system, which properly apply, not to the principle of supporting the clergy by the contributions of their flocks, but to the defects in the government of those religious communities which happen to be supported on the voluntary system. Such are, for example, the evils alleged to flow from the want of proper places of education for clergymen ; the want of a regular ordination ; the want of a regular hierarchy ; the insufficient education of the clergy ; the changeability of ministers. So far, indeed, as these evils are connected with the mode of payment, they may be considered as the vices of the voluntary system ; but if they might be removed without introducing the

* See Reed and Matheson, vol. ii. pp. 452, 455, 466.

principle of endowment, it is clear that they have no *necessary* connexion with that system. This confusion has arisen from the circumstance that the Protestant Dissenters of England, whose ministers are supported on the voluntary system, and who are in this country the great advocates of that system against the friends of the Established Church, have also very lax systems of church government, in which the defects above pointed out prevail in different degrees, according to the different persuasions. The author of an able controversial work on the voluntary system*, recently published, has fallen into this error; and at the same time that he has pointed out many evils springing from the *mode of payment*, he has added others, which, whether evils or not, are at any rate altogether unconnected with the payment of the ministers, but grow out of the system of *church government*. In order to perceive that the absence of ordination and of hierarchy is no inseparable concomitant of the voluntary principle, it is only necessary to cast our eyes upon the Irish Catholic church, which, though its clergy are solely supported by the gifts of their flocks, yet is governed with the same strictness of discipline, and the same subordination of powers, as in countries where Catholicism is the religion of the state, and where the standard of orthodoxy is maintained by the terrors of the Inquisition†. For this purpose the Irish Catholic Church

* The Voluntary System. By a Churchman. In Seven Parts. Published by Rivington.

† The Commissioners of Public Instruction, in their late perambulation of the country, appear to have only met with one schismatic Roman Catholic chapel in all Ireland. This was in the parish of Birr, in King's County, in the diocese of Killaloe. See their First Report, p. 218. The attendance is stated to be considerably less than at the orthodox chapel in the same parish.

furnishes a test, an *instantia crucis*, to detect what are the consequences of the voluntary system, and what of a lax church government ; if any evils are found in the English dissenting churches which are wanting in the Irish Catholic Church, it is clear that they either arise from the defective church government of the former, or that they are counteracted by the good church government of the latter.

On the other hand, some advantages have been stated to belong exclusively to the voluntary system, which do not seem *necessarily* limited to it. Thus it has been said that this system has a great superiority to the opposite system, in its power of adapting itself to the wants of the people. "The principle of adaptation, (says Mr. Reed,) the want of which a high authority has lately admitted to be the great defect of an establishment, is certainly the life and virtue of the voluntary system. Whatever may otherwise be its character, its adversaries cannot disallow its inherent power of adaptation ; and if they did, America would confound them. The school-house and the church are seen to accommodate themselves precisely to the state of the people, never behind them, never too much in advance. Their very form and structure pass through the gradations of wood, brick, and stone, as do the residences of the people*." It is true that, as established churches *have been* governed, their institutions have for the most part been ill adapted to the wants of the people, inasmuch as the protecting state has consulted its own good rather than that of the church, and has sacrificed ecclesiastical to political interests. The Irish Established Church is a striking instance of this want of

* Vol. ii. p. 280.

adaptation ; and the manner in which the Welsh Established Church has been governed furnishes another remarkable example of the mischievous influence exercised on religion by the interference of the secular power*. But these evils appear to be attributable to the system of *establishment*, rather than of *endowment* ; and at any rate they are not essential parts of an endowed system. The want of adaptation is simply an abuse of endowments ; and, like all other abuses, it may be removed without destroying the institution on which it has been incrustated.

We have already stated our belief, that experience has proved that religion may be safely trusted to the spontaneous support of the people ; our objection to the voluntary system is, not that it does not provide *sufficient* religion, but that it provides a *bad* religion. The principal grounds for this opinion have been succinctly stated by Hume, in the well-known passage cited by Adam Smith, in his chapter on Religious Establishments, though with the admixture of reasons in which we do not concur†. We shall now state, as briefly as we can, the grounds on which we entertain this opinion.

* See this subject well explained in an Essay on the Causes of Dissent in Wales, by Mr. Arthur James Johnes. Published by Hooper, Pall Mall East.

† For instance, Hume speaks of the expediency of "bribing the indolence" of the ministers of religion by an endowment. This is the legitimate consequence of his definition of superstition, that it is an "excess of religion." But Archbishop Whately has truly remarked, that genuine religious feeling cannot be in excess ; and that superstition is properly the *perversion* of religious feeling. So it seems to us, that the exertions of a clergyman cannot be too great or assiduous, provided that they are in the right direction. See Smith's *Wealth of Nations*, b. 5, ch. 1, art. iii. In like manner, Gibbon says, "To a philosophic eye the vices of the clergy are far less dangerous than their virtues."—Vol. vi. p. 256. This is a repetition of Mandeville's doctrine of "Private vices public benefits."

The two vices to which Christianity is incident are *superstition* and *fanaticism*. The former of these prevails chiefly in the unreformed churches, viz., the Greek and the Roman Catholic; the latter in those reformed churches which have departed furthest from the Roman Catholic system. Whenever there is any circumstance, such as the interest of the clergy, or the credulity and ignorance of the laity, in the state of these religious communities which affords an encouragement to abuse, it may generally be observed that the tendency of the Roman Catholics is to slide into superstition, that of the Protestants into fanaticism*.

Now when a clergy are thrown for support upon the voluntary contributions of their flocks, they naturally insist on those parts of their respective religious tenets which produce the greatest immediate effect on the minds of the congregation, without endangering their own popularity, or touching on matters which may give offence. With this view the Roman Catholic priest encourages the superstitious observances, and dwells on the ceremonial and ritual parts of his religion, knowing that these do not sting men's consciences, and that they give him an ascendancy over their wills; while the Protestant minister indulges in rapturous

* The disposition to *asceticism*, so strongly marked in some of the extreme Protestant churches, is, in the Catholic church, chiefly confined to the *regular* clergy. (On the Catholic asceticism, see Manzoni *Morale Cattolica*, cap. 16.) Fanaticism, likewise, whenever it has prevailed in Roman Catholic countries, has appeared in the same quarters. Bishop Lavington finds his parallels to the enthusiasm of Methodists almost exclusively among the founders or the members of religious orders, as Ignatius Loyola, St. Dominic, St. Francis, St. Teresa. The asceticism and contemplative life of convents are precisely analogous to the Methodist spirit; and the monastic life may be considered as an appendage extraneous to the Roman Catholic system, intended to provide an outlet for persons having that religious tendency.

and impassioned discourses, and stimulates the feelings of his hearers with the various arts and resources of religious enthusiasm. In either case the doctrinal and moral parts of religion are sunk in the shade, and more prominence is given to other practices or tenets, according to the spirit of the particular religious system*. Hence we have the revivals, the camp-meetings, and the "anxious seats" of the United States; contrivances for quickening the languid pulse of devotion which probably would never have occurred to, at least never been practised by, an endowed clergy; by a clergy who had not a pecuniary interest in the results of the enthusiasm which these means are used to excite. Hence, likewise, we see that in Ireland the system of payment tempts the Roman Catholic priests to encourage the superstitions for which their system furnishes too many opportunities; that the mere ritual and mechanical parts of the religion, those parts which the Reformation has sheared from Protestantism, are the most lucrative to the priesthood. Without intending to cast general reflections on classes of persons, in whom all varieties of character are doubtless to be found, we may be permitted to ask whether, when a large body of men are placed in circumstances in which it is their direct and obvious pecuniary interest to follow a certain course, it is not to be expected that the majority of them will, in the long run, follow that course? On the tendency of the voluntary system to encourage superstitious observances in the Church of Rome, we have the statements of Catholics themselves, whose testimony is

* On the spirit of the religious system of the English Methodists, see the severe, though on the whole not unjust, remarks of the Edinburgh Review, vol. xi. p. 357-9.

the more valuable on account of their acquaintance with the subject, and their freedom from sectarian animosity. Thus, Count dal Pozzo, once First President of the Imperial Court of Genoa, in his interesting work on Catholicism in Austria, bears witness to the mischievous effect of subjecting the Catholic clergy to this pecuniary temptation.

“To play off miracles ;” he says, “to publish extraordinary favours, obtained by means of some image, or of some religious external performance ; to create new modes of devotion ; to feed the credulous spirit of the vulgar with superstition, and to overwhelm it to the utmost with spiritual terrors ; to extol the marvellous effects of indulgences, corporal penances, offerings to the church, &c., have always been a source of much emolument to the Catholic clergy. How can poor curates always abstain from such means ?”—p. 172.

The pamphlet on the Ecclesiastical Finance of the Irish Catholic Church, published in 1834, by Mr. Croly, himself at that time the priest of a parish in the county of Cork, has thrown much light on the working of the voluntary system in Ireland ; and it has attracted such general attention, that a mere reference to it might perhaps be sufficient. It may, however, be desirable to cite one passage which illustrates the view which has been just taken of the influence of the voluntary system on the character of the priesthood, and the religion which they administer. After having stated that the revenue of the parish priest is derived from confession dues, marriage dues, baptism dues, mass dues, dues for anointing, and also occasionally from fees paid for attendance at funerals, he gives the following account of mass dues :—

"Masses, too, are priced like other rites of religion. A person is said to get a mass, or to have mass said for him, when special mention is made of him by the celebrating priest, or when he is especially recommended to the Almighty at a particular part of the canon of the mass assigned for recommendations of the kind. This is supposed to produce great spiritual, and perhaps temporal, benefit to the person so recommended. This recommendation is also supposed to benefit departed souls—that is, such as are detained in the prison of purgatory; and this is the reason why it is said that the mass is offered for the living and the dead. . . . The general notion is, that masses are beneficial in some way: no one being able to define exactly in what this benefit consists. But the general idea of their efficacy in the visible and invisible world augments considerably the revenue of the church. This matter is particularly insisted on at a particular season of the year, the Commemoration of All Souls, the second of November. Every effort is then made to interest the faithful in behalf of the souls in purgatory, in order to increase the customary contributions for mortuary masses. Doctrines are frequently advanced on those occasions, prompted by cupidity, not very consonant to reason or the Scriptures, and the congregation is led into error in order to replenish the coffers of the priest. The love of filthy lucre has done much mischief of this kind in the church. Is not the present dependent state of the priesthood in question a stimulus to these extravagancies and abuses? . . . The scantiness of clerical emoluments, or eagerness to increase them, has reduced to a dead letter the canons of the church respecting private masses. The canons require that mass, except in very rare instances, should be always celebrated in the parish church or public place of worship; which indeed is set apart and consecrated for that special purpose. Private masses, or masses in private houses, are occurrences of a very rare description wherever these canons are in force. This is not the case in Ireland, and for obvious reasons; on account indeed of the emoluments arising. The priest, more attentive to his private interest than to the observance of

Church rule, labours to procure employment in this way, and to establish the custom of having mass celebrated periodically in this or that private house of some respectability as a matter of course; for the poor and the needy are not much taken into account in such matters, although even from them something is gleaned occasionally in the way of masses. . . . In short, the entire system at present pursued by the Irish Catholic clergy as to money matters, or matters of church finance, is to make the very most of their ministry in gross and in detail; and regardless of consequences, to render every part and parcel of religion, whether we regard the administration of sacraments, or the celebration of divine worship, subservient to considerations of self-interest."—p. 39-41.

The same effects are naturally produced in other countries by the same cause. Thus legacies to the church are very frequent in Transrhenane Prussia, where the Catholic clergy are unendowed: in the parts of Prussia where they are endowed such legacies are almost unknown. In Amsterdam, where the Catholic clergy has been merely tolerated and not paid by the state, expensive funerals have been encouraged by the priests, and every woman of the congregation was forced to attend and pay a gulden; the men, however, being less under the influence of the clergy, refused to give their attendance.

The want of an endowment necessarily tends to induce a clergyman to use his religious influence in order to gain an ascendancy over the minds of his congregation, and to use that ascendancy in order to gain money. Its inevitable consequence therefore is to encourage *priestcraft*; to promote an illegitimate exercise of the sacerdotal authority; and to give the clergy an interest rather in cultivating the irrational fears, or stimulating the imagination and feelings of their

hearers, than in improving their reason by judicious and temperate admonition *. The inducement afforded by the voluntary system to the development of the fanatical and superstitious perversions of Christianity may be learnt from the practices of the mendicant orders of the Church of Rome ; who, however beneficial their preaching may have been at their first institution, have become the chief apostles of superstition in the Roman Catholic countries. The Jesuits were at their first institution prohibited from teaching for money †, the object being that they should not accommodate themselves to the weaknesses or prejudices of their hearers. It was probably from perceiving the close connexion between the paid lessons and the shallow philosophy of the sophists that Socrates disapproved so strongly of teaching for money ‡. On the other hand, an endowed clergyman, like an endowed ethical teacher, has no temptation to develop the worst parts of his system as being the most striking and captivating, and therefore the most gainful ; he has no interest in striving after temporary applause, in producing a strong transitory influence on the feelings, or in encouraging

* For an account of the mischievous influence which a dependence on the congregation exercises on the character of the minister, see the curious and interesting work, entitled the " Autobiography of a Dissenting Minister." Whether the work is genuine or not, whether its statements are *true*, is of no importance for the present purpose ; it is sufficient that the adventures are *probable*, and such as might be naturally expected to happen in the supposed circumstances.

† See Ranke's *Römischen Päpste*, vol. i. p. 224.

‡ The opinions of Socrates on this point are so well known, that it is scarcely necessary to refer to Plato's Dialogue, the *Sophista*. Aristotle defines a sophist to be a *χρηματιστής ἀπὸ φαινομένης σοφίας*, 'a man who makes money by apparent, and not real, philosophy,' (*Soph. Elench.* ch. i.) In like manner many an unendowed clergyman might be called a *χρηματιστής ἀπὸ φαινομένης ἐκείβειας*.

ritual and outward observances which require the aid of the priest, but produce no change in the mind of the layman. Endowment thus gives full scope to the monitory and ethical parts of religion; and instead of religion being either a succession of outward and mechanical observances, or a means of stimulating the feelings and elevating the imagination, tends to make it a system of moral rules enforced by the strongest sanction which can be applied to the guidance of human conduct, and the regulation of the human mind. The civil magistrate may, without interfering in ecclesiastical matters, or without undertaking to decide on the comparative truth of creeds, nevertheless seek to develop and encourage that which is common to all shades of religious faith, and which is their highest principle, so far as man's temporal state is concerned, viz., the principle of pure virtue and of mutual charity inculcated by them. And this end is best attained by resorting to the method of general and undistinguishing endowment *.

* Mr. Bentham, in his *Treatise on Rewards*, speaks of the advantages of placing a well-instructed clergyman in every parish, who would combat the prejudices of the uneducated classes, and raise them to his level. "Alors (he says) dans les bornes étroites de chaque paroisse, dans les provinces les plus reculées, dans les lieux les plus pauvres et les plus sauvages, il se trouverait au moins un homme de confiance, instruit de tout ce qu'il importe le plus de savoir. . . . D'ailleurs, plus les prêtres pourraient tirer leur influence et leur considération de vrais services, moins ils seraient portés à la chercher dans des moyens dangereux. Ces connoissances, qui sont la gloire et le salut de l'esprit humain, les préserveraient du fanatisme, qui en est la honte et la fléau. Placés au milieu de leurs paroissiens, comme de bons pères de famille, leurs guides et leurs oracles dans toutes les circonstances difficiles, ils s'appliqueraient à rectifier les préjugés nuisibles; ils combattraient leurs funestes habitudes dans l'éducation physique et morale de leurs enfans."—*Théorie des Peines et des Récompenses*, tom. ii. p. 254. Conduct such as this could only be expected from an endowed clergy; a clergy dependent on the voluntary subscriptions of their parishioners could not afford to run counter to their prejudices.

The most favourable opportunity for the voluntary system would be, that the religious communion should contain as large as possible a proportion of wealthy and educated persons, inasmuch as it might be expected that their contributions would be large, and regularly paid, and that the character of the clergy would not be lowered by their resorting to unworthy acts for the collection of their incomes. For this reason, there is probably no religious body among whom this system could be tried with a better prospect of success than among the Episcopalian Protestants of Ireland, as they possess at least nine-tenths of the land, while they form only one-tenth of the population. On the other hand, there cannot be a less favourable field for the voluntary principle than where the religious communion is numerous, and consists in great measure of the poorer classes. Such is the case with the Irish Roman Catholics; forming eight-tenths of the community, they probably do not own one-hundredth part of the land, and Ireland is not a manufacturing country. The same is likewise the case with the dissenting churches of England and Wales; their members are chiefly to be found in the middle and poorer ranks*. The voluntary system has not a fair

* "I feel unable," says the author of the work on the Voluntary System, "to give a decided opinion; but certainly I am inclined to think that during that period (the last forty years) Dissenters have increased in a ratio somewhat greater than that in which the population in general has increased. But whether they have numerically increased or not, it seems to me quite certain that in two things they have *decreased*—in piety and in wealth. . . . Of their piety it is not at present my business to speak; and as to the second point, I shall give better authority than my own assertion. The Eclectic Review tells us, 'The dissenting interest has been extending itself with an overgrowing population, but it has lost ground in the higher and middle ranks.' And again, 'Orthodox dissent has almost entirely disappeared from the higher classes. Evangelical Dissenters no longer form a phalanx in the legislature; nor, as formerly, are they found prominent in all the great commer-

trial, while there is already in existence an endowed church to which the richer classes chiefly belong. In order that it should have a good chance of success, the society should be split *down*, not *across*, by the division of sects, so that each should have an equal or nearly equal share of each rank, instead of all the rich belonging to the endowed, and all the poor to the unendowed persuasion. In Ireland, moreover, not only are the majority of the Roman Catholics poor tenants and labourers, but the few who belong to the wealthy class, being probably less under the influence of the priests, contribute sparingly to their support. "It may be right to observe," says Mr. Croly, "that, in the present defective state of things, the rich Catholics contribute in general but little to the support of their clergy. They pay nothing in proportion to their rank and means. They are extremely deficient in this respect, so that the whole burden of the priesthood, as to their support, rests, it may be said, on the shoulders of the poor, industrious, labouring classes. There might be some honourable exceptions, but the general proposition is true."—p. 31.

The difficulty of providing for the worship of the Irish Roman Catholics on the voluntary principle is peculiarly evident in the case of *chapels*, as in order to

cial companies of the metropolis, and proprietors of all the principal *manufactories* of the country. The *professional* classes have also, with few exceptions, deserted the ranks of nonconformity. And even among the middle classes, so far as our observation extends, the rising youth of England are not being trained up within the communion of dissenting churches.—The Voluntary System, by a Churchman, p. 275. 'The Rev. W. J. Rees,' says the author of the Essay on the Causes of Dissent in Wales, 'has declared, that our poorer countrymen (in Wales) look upon the church as never intended for them, but meant only for the rich.'—p. 68.

erect a suitable building for the accommodation of large numbers of worshippers, a considerable sum is required, nearly the whole of which must be raised at once. The plan adopted by the English Dissenters of sending itinerant ministers round the country to collect money for the building of chapels* is unknown in Ireland; the practice there is to raise the money from the persons living in the parish to which the chapel belongs. The course usually adopted is for the priest to undertake the management of the building, and for him to assess every head of a family in the parish at a certain sum; or for the management to be intrusted to a committee, one respectable person being appointed for each townland, who assesses the inhabitants of it. Small repairs are done by means of collections at the chapel doors. The subscribers, however, are in general so poor, that, after they have made their regular payments to the priest, they have little left to bestow on religious purposes; and in general it happens that chapels remain unfinished for several years from the want of funds.

In the Appendix to the first Report of the Commissioners of Public Instruction is a return by the Irish Catholic bishops of the number of Roman Catholic clergymen in each diocese, and the chapels in which each officiates. Even from this return it appears how insufficient, in many cases, is the accommodation for the public worship of the Catholics in Ireland. Thus in the diocese of Kilmore, Crimlin chapel is stated to be "in ruins." In the diocese of Raphoe, Inver parish, there are "Inver chapel, and two other places, where

* Voluntary System, by a Churchman, p. 204. In extraordinary cases, as in that of the Cathedral of Carlow, subscriptions have come from a distance, and even from foreign countries.

service is performed in temporary sheds." In the dioceses of Cloyne and Ross, "a store at Ballycotton is used as a chapel, for want of better;" "Grenagh; Burnford, Aghnalunta, all three wretched hovels." "Islands of Cape Clear and Inniskerkin. A chapel in each: that of Cape Clear scarcely deserves the name." Diocese of Elphin: "Ballagh; one in progress at Fournmile House; the ruins of one in Durham, and of one in Ballyleague, in which places service is performed in private houses." Diocese of Galway: "there is but one chapel in the village of Outerarde, in a district of about twenty-five miles long. Two more are indispensably requisite." "One chapel in Moycullen; another required." "Two chapels, one in Barna, one in Bushy Park: another sadly required. The one in Barna is a miserable thatched cabin." In the town of Galway "the four parish priests have but one parish chapel, called the New Chapel, in Middle-street. In fine, there is but one parish chapel in the whole town of Galway. There are three other chapels belonging to the regulars, over which the secular clergy have no control, viz., the Abbey or Franciscan Chapel, the Augustinian, and the Dominican or West Convent. The secular or parochial clergy indispensably require two or three additional chapels, when they can obtain means to erect them." In the Report of the Commissioners, diocese of Derry, benefice of Dunboe, we find "a private building in the domain of Sir James Bruce used as a place of worship by the Roman Catholics." In the diocese of Armagh, benefice of Arboc, there are two Roman Catholic altars in the open air; in Ballinderry benefice, another altar in the open air; in Clogherny, the same; in Desartereight, the

same; in Errigle Keerogue, the same; in Killishall, the same; in Pomeroy, the same; in Termonmaguirk, the same.

The following statements of different witnesses examined by parliamentary committees will throw further light on the state of the Catholic chapels in Ireland.

Most Rev. Oliver Kelly, R. C. Archbishop of Tuam :—

“ In the arch-diocese of Tuam, what is the state of the chapels in the different parishes, and what is the character and degree of accommodation afforded to the population of the Catholic persuasion for the celebration of religious worship?—The state of the chapels in the arch-diocese of Tuam is very wretched.

“ Will you have the kindness to give any detailed information upon that point to the Committee that you have had opportunity of making a note of?—As far as my memory has been able to serve me, without having any document to go by at the moment, I believe that there are in the arch-diocese of Tuam from about fifteen to eighteen slated chapels, and eight or ten now in progress; there are in all about one hundred and six places for Catholic worship.

“ You mean buildings?—Yes, I mean buildings of some description.

“ How are they protected from the weather?—With the exception of those I have mentioned, all the others are thatched chapels; some of them wretched, none of them sufficiently spacious to contain the congregation, and in many instances the public prayers are celebrated in the open air, having no covering but the canopy of heaven.

“ Are those chapels which are of a better description usually in the towns within the diocese?—In the towns usually.

“ Can you state to the Committee the number of the largest congregation which has been in the practice of assembling at any one of those places where the accommodation is insufficient? I have known congregations to average from 1000 to 1500

where they had not sufficient accommodation in places of worship.

“Where there are chapels for the reception of the people, is it the practice for great numbers to assemble without-side, in the neighbourhood of the place of worship; or do they so from the impossibility of their being received and accommodated within the building?—They remain on the outside because there is no accommodation, no room for them in the inside.

“Do they equally remain outside notwithstanding the inclemency of the weather, or other circumstances which might add to the inconvenience of their being so exposed?—They remain outside under the inclemency of the weather for the purpose of offering up their prayers, and because they cannot get room and accommodation in the house.

“From what distance have you known the people in the habit of sometimes coming to resort to a place of worship?—I have known them to resort to a place of worship at a distance of four, five, and six miles.

“And regularly to resort on days of worship from such a distance?—Yes.

“Are there any parishes within the unions in your archdiocese in which there is no place of worship whatever?—I know of no union that has not some place of worship.

“Will you have the goodness to describe to the Committee such a place of religious worship as that you have last alluded to, what may be its size, the mode in which it is constructed, and the probable expense of such an edifice?—I have seen some of those edifices where the walls of the house were not above eight or ten feet high, twelve or fifteen in breadth, and forty or fifty in length.

“Thatched of course?—Thatched.

“For what number of persons might that have been intended as an accommodation, or rather what might be the number of the congregation to attend where only such a building existed?—The number of the congregation that is expected to attend, if there could be accommodation

for them at many of those places, would amount to 1000 or more.

“ Have you any funds in your arch-diocese, or other resources applicable to the construction of places of worship, or to the keeping them in repair?—No funds whatever, except the voluntary contributions of the faithful; the contributions of the clergy and bishops, and the aid they receive from their Protestant brethren and neighbours.

“ Has that aid been liberally given, and without any admixture of religious feeling?—I have been very much engaged in erecting chapels; of the slated chapels that have been erected, most of them have been in my time; I have been in the several parishes myself and have taken a part very frequently in the collection, and I do not recollect any instance of my being refused by a Protestant gentleman when I applied to him to contribute towards a chapel.

“ Placing out of consideration the advantage and the comfort that it would be to the people to have suitable places for their reception, do you conceive that any act would be more acceptable to persons of the Catholic persuasion in Ireland than some means being afforded for improving their places of religious worship?—I know of no act that would give the Catholic population of Ireland so much satisfaction as to see that there was some arrangement for the erection of houses of worship for them.

“ Is it not usual when the inferior class of the persuasion are unable to contribute money for them to contribute their labour, and in other ways to compensate for the deficiency of that subscription which they cannot afford to give?—Yes; they give their labour: where it is a thatched chapel, the poor bring straw, and they give aid in that manner toward the repair of the chapel.

“ The assessment made upon such occasions, though in its name voluntary, is in point of fact, upon those who are able to contribute any thing, an obligation which cannot be avoided?—It cannot be conveniently avoided, and in order to reconcile the people in some measure to it, the plan I have pursued in

having those chapels erected, is to recommend the clergyman to form a committee in his parish, this committee to consist of the principal men in each village, and to appoint a treasurer, and that the priest with the aid of the principal men in each village would lay an assessment upon the people according to their circumstances: this assessment is collected in the best manner it can, then put into the hands of the treasurer, and expended afterwards upon the building.

“Have not instances come frequently within your knowledge where the assessment made in this manner has fallen very heavily upon the people, and has been complained of by them, although submitted to for the sake of having a place of worship?—Many instances have occurred where they complained of the assessment, and of being called upon for this aid.

“Are there any means of enforcing that assessment?—No means whatever of enforcing; the clergyman threatens to withhold his services from them, and reproaches them for not contributing; and I know of no other means whatever of enforcing it.

“But those appeals from the clergy have generally been found successful as far as their means have permitted them to contribute?—Yes.

“What do you understand by the clergy threatening to withhold their services from them?—What I allude to is, the practice of churching females after their accouchement; and the clergyman, unless he finds that the husband has paid his portion of the cess, does not church the woman till that money for the erection of the chapel is made up.

“Is that the only service they threaten to withhold?—That is the only service; they never refuse the administration of sacraments by any means.”—H. C., 1825, p. 255—257.

“Are the assessments for the repair of chapels laid on by the people themselves?—By the people themselves, by the heads of villages; the clergyman is recommended to form them into a committee, who assess the parish, and the clergyman is the principal collector of this assessment; he pays it

into the hands of a treasurer appointed by themselves, and the money is expended afterwards."—*Ibid.* p. 261.

Dominick Browne, Esq. M.P. :—

"Are the Roman Catholic chapels in general adequate to the wants of the people?—They are entirely inadequate in every part almost with which I am acquainted in Galway and Mayo, and in some places I know there are none at all. I have very often seen a place, where on Easter Sunday and Christmas Day, and festivals of that kind, I am certain there were from ten to fifteen times as many people kneeling outside the chapel on the road, as the chapel could contain.

"Did not many of those purposely kneel outside that could go in?—I do not believe that is the case; I believe the chapel is filled before they kneel outside. I have seen that occur when it has been very cold and raining.

"Do you consider the want of sufficient room in chapels to arise from the total inability of the people to provide them, or from want of zeal?—From total inability.

"Do not the Protestants of property contribute in general towards the building of those chapels?—They do in some measure, but not generally; only landlords, never the Protestants of the lower classes."—H. L., 1825, pp. 588-9.

Right Rev. James Magaurin, R. C. Bishop of Ardagh :—

"You were asked a question on the subject of the state of the chapels in your diocese, are the chapels generally in a good state or otherwise?—Some of them are, but the others are miserable enough.

"When you answer that they are in a good state, do you mean that the buildings are in good repair, or that they are commensurate to the wants of the people?—They are, some of them, in a respectable situation, so far as regards the building outside; they are not so decently finished inside as I could wish.

"Are there many places within your diocese where the

chapels are entirely inadequate to the number of the congregation?—I think in general all are so.

“Will you describe what occurs in such cases, or how the population can attend divine worship?—The only remedy we can adopt in order to avoid the awkwardness of remaining outside, is to increase the number of clergymen. At the chapel at Ballimahon, I attend every morning at eight o'clock, on Sundays, invariably, and my curate attends at ten and at twelve afterwards, and there is a large congregation each time.

“Are there other places within your diocese where service is celebrated three times?—Yes, there are.

“Are there any instances where it is celebrated more than three times?—I think not.

“Are those three services on the Sunday entirely owing to the number of the congregation and the inadequacy of the means of receiving them, or at all those parishes would not two services be celebrated on Sunday?—Not always two, in case where there are two chapels and only one clergyman.

“Are there any instances in which the congregation are obliged to kneel down in the open air?—It does occur in many instances where there is only one mass.”—H. C., 1825, p. 288.

Colonel Currey, agent to the Duke of Devonshire :—

“Have you had occasion to be acquainted with the state of the Roman Catholic chapels in the south of Ireland?—Yes, I have been in several of them upon the Duke of Devonshire's property; and indeed in other places.

“What have you found to be the condition of those Catholic chapels?—In all the country parts they are very indifferent; I have seen some wretched places on the duke's property; by his contributing to their improvement, they have, in many instances, been repaired and improved.

“There are, and you have seen, many that are still wretched?—Very wretched thatched chapels, so irregular in the line of their roof, that they looked like several cabins joined together.

“Are they sufficient, in general, for the accommodation of

the population who attend them?—Very insufficient for the number that attend them.

“Are all that attend received into the chapel, or are many left out-of-doors?—In most instances the congregation is so numerous, that they are seen kneeling outside in the chapel yards; I have seen them kneeling outside in the chapel yards under bad weather.

“You have stated that in many places the chapels were in very bad condition; were those chapels in large Catholic parishes?—In the large Catholic parishes, and where there are towns, they are in better condition than in the country parishes certainly; but generally speaking, I believe, they are inadequate to the number of the congregations, and in very many instances certainly in indifferent repair.

“In those parishes to which you are alluding, where you stated the chapels were in such bad repair, is there a large population?—A very considerable population.

“And a certain number of wealthy farmers?—The farmers were not very wealthy in those situations.

“What was the reason why the inhabitants of those parishes, being chiefly Catholic, did not subscribe for the purpose of putting their chapels in adequate repair?—From their poverty.

“Do the priests endeavour to raise subscriptions for that purpose?—I believe, in some instances, they are at this moment collecting small sums, for I have told the priests of parishes upon the Duke of Devonshire's property, that if they would exert themselves to raise a certain sum amongst their parish, in fact to do something for themselves, that I would, in conformity to the general instructions I had from the Duke of Devonshire, give them assistance from him; that is, whenever they were upon his property, or even in parishes where he has the impropriate tithes, the duke's instructions to me were always to give assistance wherever they would do something for themselves likewise; I never give assistance unless they raise something for themselves,”—H. C., 1825, pp. 299, 300.

Major-General Bourke, magistrate, resident in the county of Limerick :—

“ What is the state of the Roman Catholic chapels in your neighbourhood?—Some of them are in very indifferent repair; but latterly they have got into a better state than formerly.

“ Are they sufficiently large to afford accommodation for the population of their respective parishes?—By no means; during the celebration of divine service you see a number of persons outside the chapel.

“ Do you conceive it would be felt as a great boon by the Roman Catholics of Ireland if there was some provision made by law for the repair and maintenance of their chapels?—I do; I think it would be received with great gratitude, and felt as a great kindness.

“ Are the payments made to the Roman Catholic clergy considered by the people as a heavy charge and incumbrance upon them?—They are; I have known them state as much.

“ In the event of the state making provision for the Roman Catholic priesthood, would not that be considered by the people at large as relieving them from the burthen of a double establishment?—I should think so; I imagine, if the people were aware that the state provided for their clergy, they would not continue to pay the dues.

“ Then do you not consider that a provision by the state, for the Roman Catholic clergy, would have the effect of removing one of the causes of dissatisfaction which at present exists as to the payment of the Protestant clergy?—I conceive it would, by diminishing the burthen.

“ Do you conceive that the payment, by the state, of the Roman Catholic clergy, would add to the stability of the Protestant church in Ireland?—I think so; in so far as it would remove the existing complaint of having two church establishments to maintain.”—H. C., 1825, p. 335.

Rev. Thos. Costello, county of Limerick :—

“ Are there not other charges that are levied upon the

Roman Catholics, such as for the repair of their chapels?—Yes.

“In what manner are those payments enforced?—A committee is generally appointed for the management of the building or repairing of the chapel; they fix a cess upon the different persons in the parish, according to their judgment, and according to the means of the person; this cess is read from the altar by the clergyman, and a certain time is allowed to pay it; if they do not pay, the clergyman remonstrates with them, and does all he can by exhortation to induce them to pay it; if some are still refractory, the manner in my parish is, that they must be given over as persons that will not pay, and the committee confine themselves to the disposal of the money that is got by the voluntary offering of the people, or by the exhortation of the clergyman: no further measures are taken with regard to those that will not pay.

“Are not spiritual censures directed against them?—Not in any case that I know of.

“Their names are proclaimed in the chapel, are not they?—Yes; the clergyman generally reads those who pay, and sometimes mentions those who do not pay.

“What is the consequence, as regards those individuals, of their names being read in chapel in that manner?—In my neighbourhood there is no observation upon it; the people themselves feel hurt, and somewhat degraded by it, but it does not seem to be of any great consequence.

“Do ever cases arise in which any rite of the church is withheld, in consequence of non-payment?—We have no authority to withhold the rites of the church in consequence of non-payment; but we delay the administering those rites sometimes, in cases where the persons can afford to pay, for the purpose of reasoning with the parties.

“Is the same course adopted with respect to all sums that it is desired to raise for religious purposes?—Yes; as far as my observation goes.”—H. C., 1825, pp. 426-7.

The Earl of Kingston, county of Cork:—

“Is the country in general sufficiently provided with chapels

for the accommodation of the Roman Catholic population?—The chapels are much too small; there is not room for one-third of the congregations; any body travelling through Ireland on a Sunday will see them kneeling all about the chapel-yards and in the streets. They have not means to build them; it is only by collections at the chapel-doors that they are enabled, and by what money their Protestant neighbours give them; they have no funds to build them out of.

“Do the Protestants in the neighbourhood subscribe?—Yes, they do, very liberally; I believe they seldom or never refuse.

“But still the funds are insufficient for the providing chapels for the due administration of religious rites?—They are. Ireland has grown much more populous during my memory; there are many villages now where none existed a few years ago. In going through the county of Sligo about three years ago, I passed through a road I had often gone before, where there were very few people; it was on a Sunday; I passed the chapel, and I never saw such a crowd of people; they had all sprung up within twenty-five years.

“Do you conceive that, independently of the religious importance of affording such accommodation, a sufficiency of that accommodation is important, with a view to the general interests and tranquillity of the country?—I certainly think so; as long as the Roman Catholic religion exists in Ireland, or indeed any other religion, it ought to have places for public worship.”—H. L., 1825, p. 429.

The Rev. Michael Collins, parish priest of Skibbereen :—

“In what state are the chapels of the Catholics in the county of Cork?—In general they are in a very bad state; they are too small in general for the congregations that resort to them. Efforts were lately made in some places to build new chapels, upon a scale more suited to the number of them; but the poverty of the people, and the pressure of other demands for the Established Church, has rendered the progress

of those buildings slow indeed, and in some instances they have failed altogether for a time. I have myself an old chapel in the town of Skibbereen, in such a state that I daily fear some accident may occur whenever the people are assembled in it, in consequence of the decayed state of the roof and the walls: it is altogether too small for the congregation, so much so, that more than one-half of the congregation are obliged to kneel in the yard, or on the highway, under the open air, and they cannot hear the instructions of the priest. I made an attempt to build a chapel upon a larger scale, and in a more eligible situation; I had no means but a halfpenny collection on Sundays, at the chapel, from the poor, as they went in. A great number of the people going there have not often the means of paying a halfpenny; they are consequently excluded, and lose the benefit of religious worship and religious instructions: however, after a continuance of exertion since the year 1818, we have raised 400*l.* or 500*l.*, with which we commenced a chapel last year, and we have succeeded only in raising a part of the walls. We are going on very slowly, and do not expect to have the walls finished this year for want of means. I have some idea of applying in town here for aid.

“What number of persons did the old chapel accommodate?—I do not think it would accommodate more than one thousand persons.

“How many attend the service?—We have two masses in the chapel, and at each mass about two thousand persons or more attend.

“So that more than half of them are obliged to be in the open air?—More than half, and a great many stay away rather than be in the open air—the old, the infirm, and the delicate.

“Is it the practice of many to remain outside during severe weather?—It is; you may see them in severe weather, and under the pelting of storms, with their hats off, kneeling in the mud.

“Is the description you have given of your own chapel one that may be applied to other chapels in the country?—I think it may generally; but in our district we have a greater number

of poor than in many other places : as an illustration of that I would observe, that the whole number in my district does not exceed 10,000 souls, and in part of that district, that is, the part adjoining the town of Skibbereen, there were in the summer of 1822 more than 6000 paupers on the charity list, and in the other part there were nearly 3000 paupers subsisting upon the charity received from England in that year."—H. C., 1824, p. 359.

"Have you known the collection of church-rates, of rates for building and repairing churches, produce disturbance in the part of Ireland with which you are acquainted?—Yes; very recently.

"Will you explain the circumstances?—The island of Innisherkin is a small island, forming part of the parish of Tullagh, and being off the harbour of Baltimore, the island is not in my district, but the main part of the parish is; it is separated from the mainland by a distance of about a mile. The inhabitants are about one thousand, having about two hundred houses. They are very poor; so much so, that when the attempt was made by the priest residing there, not long since, to levy an assessment of 3½*d.* per house for the repair of their old chapel, which was in utter ruin (it was a mere hovel, partly covered with ragged straw, and without door or window), he failed in raising that sum from their inability to pay it; and shortly after the churchwarden, residing on the mainland, came in with his assistants to levy a tax of 4*s.* 6*d.* in the gneeve, imposed by the church vestry, for the repayment of a sum of money, advanced by the Board of First Fruits for the building of a church on the mainland, to which they were liable. The common people thought it hard and unnatural, that, whereas they could not contribute anything to shelter themselves from the wind and rain in their chapel, they should be obliged to pay a heavy tax for a church not in the island, but far from them; and particularly when they recollected that that church was built more for ornament than for use, inasmuch as a good church had previously existed in another part of the parish, which might have been kept in good repair at a

moderate expense. But it was deemed more ornamental and more picturesque to transfer the site of the church to a prominent point at the opening of the harbour, where it would have a pretty effect of landscape. The church was built there, and a tax has been these five years annually levied upon the small and poor population for the building of that church, unnecessary both in the minds of Catholics and Protestants: for the Protestant clergyman was, as I heard, against the building of that church; but the people resisted the payment of the tax, though the priest and I, who had occasion to go there, remonstrated with them upon the folly of their attempting to resist in that way, but they are very warm in the expression of their passions, and they said they would sooner die than pay such an unnatural tax as that; nevertheless, it was levied, and they resisted. An order came down from the castle of Dublin, that the police should be sent there, and an old woman was brought out and was to be tried at the last sessions in Skibbereen for this breach of the law: yet their own chapel is in ruins."—*H. C.*, 1824, p. 370.

Church-rates have been abolished in Ireland since the date of this evidence; but the same feeling which then prevailed with respect to the building of churches now prevails with respect to the maintenance of the clergy. "The common people think it hard and unnatural," that whereas there arises in the parish a certain income from land to be devoted to ecclesiastical purposes, it is appropriated by the state to the uses of half a dozen rich individuals, while the mass of the population are left to provide for themselves as they can.

In order both to remove the evils arising from the non-endowment of the Irish Roman Catholic clergy, and to put the most numerous on a footing of equality, as respects the favour of the state, with the least numerous persuasion in Ireland, it seems desirable that a provision should be made for the worship of the

Roman Catholics from the Consolidated Fund, similar to that now made (by means of the *Regium Donum*) for the Presbyterians.

The principle of *concurrent endowment* has been already sanctioned by the practice of all the European states, in which there is a variety of religious persuasions, except England. In France this principle has been laid down in the charter; in Belgium, it is so far acted on, that there is even a public provision made for the worship of the Jews, as well as of the Protestants. In these two countries the governments appear to have been actuated by a genuine spirit of toleration; in Germany, the opinions of the rulers are for the most part extremely enlightened on ecclesiastical questions; but the equality in the treatment of the different persuasions which prevails throughout the German states, and which is enjoined by an act of the Diet*, has probably been in great measure produced by the circumstances in which the members of the German con-

* Kohlrausch, in his German history, which is read in the Prussian schools, gives the following account of the present ecclesiastical state of Germany:—

“The equality of all christian persuasions in their civil and political relations, which is laid down as a principle by the act of the diet, actually exists in the states of the German confederation. All christian subjects (besides the free exercise of their religion, which had long ceased to be contested) now enjoy a complete participation in all civil rights, and are admitted to all offices in the state. Moreover, the Catholic princes have established superior ecclesiastical authorities for their Protestant subjects, where they did not exist, and the Protestant princes have set in order the Catholic church in their dominions, which had been completely overthrown in the lamentable period of the French occupation; have re-established the episcopal sees, or founded new ones, and endowed them with the requisite revenues; and treaties on all these points have been made with the pope, in which Prussia led the way in 1823, in a praiseworthy and most liberal manner. Nor has the internal economy of the Protestant church been forgotten. After the example of the king of Prussia, who, in 1817, the trecentenary of the Reformation, issued an address to the

federation are placed. As in some of these states the Catholics, in others the Protestants, preponderate; if a Protestant government was to begin oppressing its Catholic subjects, one of the neighbouring Catholic governments would retaliate by oppressing its Protestant subjects; and the converse. For example, if Prussia was to attempt to treat the Catholics of the Rhine provinces as England has treated the Irish Catholics, it might be expected (to say nothing of the risk of the attempt) that Bavaria and Austria would adopt like measures towards the Protestants in their dominions. If, on the other hand, Austria and Bavaria were to bear hardly upon their Protestant subjects, the Protestant nation of Saxony might be tempted to throw off their Catholic royal family; and Prussia might try to discourage Catholicism in Silesia. As peace is preserved in Europe by the balance of power, so in the German states toleration is preserved by the balance of religions. But in England, the Protestant majority have had their full swing, on account of the insular position of the country, and its maritime supremacy: and they have been able to oppress the Catholic minority, with no other than the too feeble restraint of their own sense of justice, and without any fear of a foreign reaction. If Ireland had been joined by a strip of land to France, the English government would either have attempted to drive all the Catholics into France, instead

two Protestant persuasions, calling on them to unite in one *Protestant church*, similar proceedings have taken place in other German states: in very many places this union has been brought about by the free consent of the clergy and the congregations, and the spirit of separation, which has prevailed too long in the Protestant church, will without doubt by degrees yield throughout the whole country to brotherly unity."—P. 639, ed. 1833.

of confining them to Connaught ; or if unable to effect so extensive an expulsion, it must have consented to govern them with more equal laws.

The Catholics of Ireland have, however, now risen to sufficient political importance to supply the want of an external pressure ; whatever may be the decision of the legislature upon the Irish tithe question in this or the following session, it is clear that any measure will be merely temporary which does not establish ecclesiastical equality in Ireland, which does not put the persuasion of the bulk of the population in as advantageous a position, as respects the favour of the state, as the small minority. Unless the property of the Irish church is abandoned to the landlords, this can only be done by the principle of *concurrent endowment*, a principle which has been tried in countries of which the circumstances closely resemble those of Ireland, and which has been found to be productive of the most perfect religious harmony. For example, the king and royal family of Prussia are Protestant ; Berlin, the seat of government, is chiefly a Protestant town ; the strength of the Prussian kingdom is Protestant. But in the Rhenish provinces of Prussia, particularly in those to the west of the Rhine, the great mass of the population is Catholic. Thus in the three circles of Cologne, Treves, and Aix, the population in 1831 was as follows :—

	Protestants.	R. Catholics.	Mennonites.	Jews.	Total.
Cologne	51,975	332,521	4	4,154	388,659
Treves	39,252	328,799	113	3,652	371,816
Aix	10,063	339,025	3	2,066	351,157
Total	101,290	1,000,345	120	9,872	1,111,632

In these three circles the Roman Catholics are to

the Protestants as ten to one, the same ratio as that which exists in Ireland between the members of the Established Church and the rest of the community. Nevertheless the clergy of both churches is provided for, with the entire satisfaction of both parties, by means of a concurrent endowment. When this country belonged to the French, the Catholic was the religion of the state; now there is no state religion, and all persuasions are on an equal footing. The clergy of both churches is paid by the state, where there is no private endowment, or if the private endowment is insufficient, it receives some contribution from the public coffers. The consequence of this wise arrangement is, that all religious jealousy and animosity is unknown. In the municipal elections the parties are never determined by religion; in the city of Cologne (as the author was informed last summer) a third part of the persons employed in different branches of the administration are Protestants, although they are chosen by Catholics, and although the Protestants are not a twentieth part of the entire population. Such a practice as exclusive dealing is quite unknown. It is remarkable that the only symptom of theological controversy between Catholics and Protestants which has recently appeared in that part of Germany, has been communicated from the contact of England. A translation of the '*Travels of an Irish Gentleman in Search of a Religion*' was published at Cologne, and met with much success; and it has been answered by a professor at Bonn. The controversy, however, did not become popular; it has had no interest except for professed theologians.

Should it ever be seriously contemplated to make a public provision for the Roman Catholic clergy of Ire-

land, it would be impossible, even if it were desirable, for the government to obtain so direct an influence over the appointment of the Catholic bishops as is possessed by Austria, and as was recently conceded by the court of Rome to Prussia. It ought to be distinctly understood that the grant is made for the general good, from motives of equity and justice, and by the mere motion of the legislature; that it is not to be considered in the light of a bargain, in which the government purchases power for money; and that there is no intention to interfere with the ecclesiastical independence of this branch of the Roman Catholic church. Nevertheless it would be impossible to make any permanent arrangement of this kind without a negotiation with the see of Rome *; and it may be confidently predicted, from the

* It is well known that, when Mr. Canning was foreign secretary, the law-officers of the crown gave an opinion that a negotiation with the court of Rome rendered the party liable to the penalties of *præmunire*. See Canning's Speeches, vol. vi., p. 157. This opinion rests on the meaning of the 5th Eliz., c. 1., which makes it penal "advisedly and wittingly to attribute by any speech, open deed, or act, any manner of jurisdiction, authority, or pre-eminence to the see of Rome, or to any bishop of the same see, within this realm." When it is remembered that the original meaning of a *præmunire* was (as Blackstone says) "the introducing a foreign power into this land, and creating *imperium in imperio*, by paying that obedience to papal process which constitutionally belonged to the king alone" (4 Com. 115), it seems clear that the simple object of this statute was to establish the authority of the king's courts, as opposed to the jurisdiction of the Pope. It is only by a most forced and arbitrary construction that a person who negotiates with the pope can be said "to attribute to him authority or pre-eminence within this realm." "Authority," in strictness, is power sanctioned by law; every person who takes the oath of supremacy declares that "no foreign prince, prelate, person, state, or potentate, hath any *jurisdiction*, power, superiority, *pre-eminence*, or *authority*, ecclesiastical or spiritual, within this realm." This declaration can only be true if understood in the sense that the pope's ecclesiastical power in this country is not enforced by law; that it rests merely on opinion. That the pope exercises an ecclesiastical power over the Roman Catholic church in this realm is a matter of public notoriety, and has been repeatedly stated to Committees of both Houses of Parliament. In what sense, therefore, a per-

spirit which that court has always shown in dealing with powerful nations, and from the recent example of the concordat with Prussia, that England would not find in that quarter any disposition to throw obstacles in the way of an arrangement based upon equitable principles.

As a preliminary to such an arrangement, it seems desirable that the Roman Catholic bishops of Ireland should agree upon a certain table of dues (fixed both in character and amount), which alone the parish priest should be authorized to receive. The priest would thus retain a part of the income derived from its present source ; and the rest should be paid by the state according to a scale to be arranged in concert with the Roman Catholic bishop of each diocese. A plan of this kind would reduce the sum required from the state, and would thus tend to obviate the objections on the score of expense, especially when it is remembered that the wants of an unmarried are less than those of a marrying clergy. The building and repairs of Catholic chapels might also be provided for (either wholly or in part) in the same manner. Indeed, the difficulty of supplying adequate church room to the Catholic population in the poor parts of the country is (as has been above shown) so great, that it might perhaps be advisable to render some assistance for this purpose, even if the more general object could not be accomplished.

It is to be observed that, by a payment from the public revenue for the maintenance of the Irish Roman Catholic clergy, no fresh expense is created ; there is only a different distribution of wealth, and the burthen

son who declares on oath that the pope has no authority in this realm can hold that a negotiation with the see of Rome is equivalent to an acknowledgment that the pope has authority in this realm, it is not easy to understand.

falls on different shoulders. When the government determines to build an arsenal, a lighthouse, or a ship, to excavate a harbour, to make a road or a canal, to undertake a war, or to subsidize an ally, it creates fresh branches of expense; it bestows money on objects which otherwise would not be attained. But the Irish priests exist, and they are paid, for the most part not scantily: if the government undertakes to relieve the actual contributors from their payment, it diffuses the burthen over a wider surface, but does not open any new drain on the national wealth.

If these measures were accompanied with an improvement of the Roman Catholic College of Maynooth, (in which the system of education now followed is not such as tends to enlarge the minds of the students, and to raise them above the prejudices of their country and their persuasion,) we think that the government would then have done all in its power to remove that portion of the evils of Ireland which flow from religious sources. The most desirable course, with respect to the higher education of Ireland, probably would be to open Trinity College to all persuasions, and to organize it on the footing of a German or Scottish university: in which case the rising generation of both persuasions might be educated together, and the candidates for orders in the Roman Catholic Church would be saved from the narrowing influence which is produced on the mind by an exclusively ecclesiastical education. Objections have sometimes been made to the education of persons intended for the Roman Catholic priesthood, together with other young men, on the ground of the life of celibacy to which the former are destined: but as in Prussia all candidates for admission into a Catholic seminary are required to produce a testimonial of

three years' study at the university, or highest place of instruction in the diocese, it is clear that the earlier part of the education of Catholics intended for orders might in Ireland be carried on at an open university, and that the more exclusively theological part of it might be reserved for a more advanced age, and a more ascetic system.

It is, we fear, visionary to hope that any internal changes in the economy of the Established Protestant Church of Ireland, any apportionment of pay to service (however strictly arranged) will ever satisfy the Roman Catholic body, or remove the sense of an unfair dispensation of public favour, so long as the Protestant faith is exclusively patronized by the state. That the offer of a state provision, if sincerely and unconditionally made to the Roman Catholic clergy, would be refused, seems altogether incredible. The principle of ecclesiastical endowment may be said to have sprung up in connexion with Catholicism: before the Reformation an unendowed Catholic clergy did not exist. The voluntary principle for the support of a clergy has been altogether the fruit of the diversity of religious opinion which was caused by the Reformation: and it has far more affinity with the reformed than with the unreformed churches. When Dr. Doyle prayed that the hatred of tithes among the Irish Catholics would be as lasting as their love of justice, he could only have alluded to the payment of tithes *in the peculiar circumstances of Ireland*. Tithes were, before the Reformation, for centuries the support of the clergy in all Catholic Europe, and the Revolution of 1789 which destroyed tithes in France certainly was not a religious movement. The stability and settled organization of the Catholic secular hierarchy render it peculiarly

suited to the system of endowment: it is among the regulars that the voluntary principle has greater applicability. As to accepting an endowment from what is by an abuse of language termed a Protestant government, the example of the Prussian Catholic clergy, who, with the full and express sanction of the Pope, receive in many cases regular stipends from the state*, is sufficient to remove this scruple. Certain it is that if the offer was made by the government in all fairness and sincerity—as being intended for the good of the Irish Catholic body, with the view of relieving the poor from the payment of their clergy and the support of their places of worship—that body could afterwards have no right to complain of the injustice of the state in bestowing an exclusive endowment on the Protestant Church.

* In the bull *de Salute animarum* (promulgated in Prussia, 1st Sept. 1821) the Pope says: "Jamdiu cogitationes nostras præcipue intendimus in regiones illas quæ actu dominatui subsunt Serenissimi Principis Friderici Guilelmi Borussorum regis, ut illius intercedente ope ac liberalitate rem sacram ibidem meliori qua fieri posset methodo componere valeremus." Afterwards he adds, "Hujusmodi autem votis nostris mirifice obsecundavit laudatus Borussorum Rex, ejus propensam admodum invenimus et grato animo prosequimur voluntatem in Catholicos magno numero sibi subditos, præsertim exei attributa grandi parte provinciarum ad Rhenum."—*Preussische Gesetzsammlung*, 1821, No. 12.

N O T E S.

(Note A.—p. 55.)

It is sometimes alleged that there has been a deterioration in the physical state of the Irish peasantry, and that at some former period they were raised above that depth of abject misery in which the great mass of them are now sunk. On consulting the political writings with respect to the past state of Ireland, there does not, however, appear to be the smallest foundation for this opinion: the tracts relating to Irish affairs during the last century are full of statements as to the extreme poverty of the mass of the population. It will be sufficient for our present purpose to cite some of the most remarkable of these testimonies.

Swift, in his 'Proposal for the Universal Use of Irish Manufacture,' (published in 1720,) has the following remarks: " I would now expostulate a little with our country landlords, who, by unmeasurable screwing and racking their tenants all over the kingdom, have already reduced the miserable people to a worse condition than the peasants in France, or the vassals in Germany and Poland; so that the whole species of what we call substantial farmers will, in a very few years, be utterly at an end. It was pleasant to observe these gentlemen labouring with all their might for preventing the bishops from letting their revenues at a moderate half value, (whereby the whole order would, in an age, have been reduced to manifest beggary,) at the very instant when they were everywhere canting their own land upon short leases, and sacrificing their oldest tenants for a penny an acre advance. . . . I have heard

great divines affirm, that nothing is so likely to call down a universal judgment from heaven upon a nation as universal oppression; and whether this be not already verified in part, their worships, the landlords, are now at leisure to consider. *Whoever travels this country and observes the face of nature, or the faces, and habits, and dwellings of the natives, will hardly think himself in a land where law, religion, or common humanity is professed.*—Swift's Works, vol. vi., pp. 281, 282, ed. Scott.

Not less strong are the statements in another tract of the same writer, published in 1727.

"It is manifest that whatever stranger took such a journey [through Ireland] would be apt to think himself travelling in Lapland or Ysland, rather than in a country so favoured by nature as ours, both in fruitfulness of soil and temperature of climate. The miserable dress, and diet, and dwelling of the people; the general desolation in most parts of the kingdom; the old seats of the nobility and gentry all in ruins, and no new ones in their stead; the families of farmers, who pay great rents, living in filth and nastiness upon buttermilk and potatoes, without a shoe or stocking to their feet, or a house so convenient as an English hog-sty to receive them: these indeed may be comfortable sights to an English spectator who comes for a short time only to learn the language, and returns back to his own country, whither he finds all his wealth transmitted. *Nostra miseria magna est.*

"There is not one argument used to prove the riches of Ireland which is not a logical demonstration of its poverty. The rise of our rents is squeezed out of the very blood, and vitals, and clothes, and dwellings of the tenants, *who live worse than English beggars.*"—'A short View of the State of Ireland,' Swift's Works, vol. vii., pp. 118, 119.

In his 'Character of an Irish Squire,' Works, vol. vii., p. 380, Swift says,—"Every squire, almost to a man, is an oppressor of the clergy, a racker of his tenants, a jobber of all public works, very proud, and generally illiterate. . . . The detestable tyranny and oppression of landlords (he adds) are visible in every part of the kingdom."

"The prodigious number of beggars throughout this kingdom (he says in another tract), in proportion to so small a number of people, is owing to many reasons: to the laziness of the natives; the want of work to employ them; the enormous rents paid by cottagers for their miserable cabins and potato-plots; their early marriages without the least prospect of establishment; the ruin of agriculture, whereby such vast numbers are hindered from providing their own bread, and have no money to purchase it; the mortal damp upon all kinds of trade, and many other circumstances too tedious or invidious to mention. And to the same causes we owe the perpetual concourse of foreign beggars to this town, the country landlords giving all assistance, except money and victuals, to drive from their estates those miserable creatures they have undone."—*'Considerations about Maintaining the Poor,'* vol. vii., p. 387.

See also his celebrated ironical tract, entitled, *'A Modest Proposal for preventing the Children of poor People in Ireland from being a burden to their Parents or Country, and for making them beneficial to the Public; 1729.'*—*Works,* vol. vii., p. 262-74.

Bishop Berkeley in his *'Querist,'* written in 1735, bears an equally strong testimony to the destitute state of the Irish peasantry at that time, as appears by the following queries contained in this work:—

19. "Whether the bulk of our Irish natives are not kept from thriving by that cynical content in dirt and beggary which they possess to a degree beyond any other people in Christendom?"

112. "Suppose the bulk of our inhabitants had shoes to their feet, clothes to their backs, and beef in their bellies? Might not such a state be eligible for the public, even though the squires were condemned to drink ale and cider?"

132. "Whether there be upon earth any christian or civilized people so beggarly wretched and destitute as the common Irish?"

357. "Whether our old native Irish are not the most indolent and supine people in Christendom?"

358. "Whether they are yet civilized, and whether their

habitations and furniture are not more sordid than those of the savage Americans?"

Lord Chesterfield, in a letter to T. Prior, Esq., dated June, 1746, says, "Be as much upon your guard against poverty as against popery; take my word for it, you are in more danger of the former than of the latter."—*Misc. Works*, vol ii., p. 542.

The following statements with regard to the poverty of the Irish people in the last century are made by the author of the pamphlet on the Commercial Restraints of Ireland:—

"In 1723, the Duke of Grafton, in his speech from the throne, particularly recommends to the consideration of Parliament the finding out of some method for the better employing of the poor."—*Commercial Restraints*, p. 42.

"The years 1740 and 1741 were seasons of great scarcity, and in consequence of the want of wholesome provisions, great numbers of our people perished miserably, and the speech from the throne recommends it to both Houses to consider of proper measures to prevent the like calamity for the future."—*Ib.*, p. 47.

"Scarcity in 1757; the want of corn, and necessities of the poor mentioned in the Lord-Lieutenant's speech."—*Ib.*, p. 60.

"In 1765, a scarcity caused by a general failure of potatoes. The price of corn was also high; and Acts were passed to prohibit distilling, and to prevent the exportation of corn for a limited time."—*Ib.*, p. 76.

"1770 and 1771 were seasons of great distress."—*Ib.*, p. 77.

"Notwithstanding the success of that [the linen] manufacture, the bulk of our people have always continued poor, and in a great many seasons have wanted food. Can the history of any other fruitful country on the globe, enjoying peace for fourscore years, and not visited by plague or pestilence, produce so many recorded instances of the poverty and wretchedness, and of the reiterated want and misery of the lower orders of the people? There is no example in ancient or modern story. If the ineffectual endeavours by the representatives of those poor people to give them employment and food had not left sufficient memorials of their wretchedness; if their habita-

tions, apparel and food were not sufficient proofs, I should appeal to the human countenance for my voucher, and rest the evidence on that hopeless despondency that hangs on the brow of unemployed industry."—*Ib.*, p. 78.

"The present inability of Ireland (says the same writer) arises principally from this circumstance, that her lower and middle classes have little or no property."—*Ib.*, p. 217.

Some statements with respect to the miserable condition of the Irish peasantry towards the end of the last century have been already cited in the first chapter (see particularly pp. 26, 27). The following testimonies may be added on this point:—

"The vast inferiority of the lower ranks in Dublin (says Dr. Campbell, in 1775), compared even with those of the country towns in England, is very striking. Seldom do they shave, and when they do, it is but to unmask the traces of meagreness and penury. In a morning before the higher classes are up, you would imagine that half the prisons in Europe had been opened, and their contents emptied into this place. What must it have been then even within three years, when near two thousand wretches, much worse of course than any now to be seen, exercised the unrestrained trade of begging? I am told that the nuisance was risen to such a pitch, that you could scarcely get clear of any shop you entered without the contamination of either ulcers or vermin from the crowd of mendicants who beset the door."—*Phil. Survey of the South of Ireland*, pp. 29, 30.

"The manner in which the poor of this country live I cannot help calling beastly. For upon the same floor, and frequently without any partition, are lodged the husband and wife, the multitudinous brood of children, all huddled together upon straw or rushes, with the cow, the calf, the pig, and the horse, if they are rich enough to have one."—*Ib.*, p. 144.

"I can see no reason why the causes which promote or prevent the growth of other animals should not have similar effects upon the human species. In England, where there is no stint of provisions, the growth is not checked, but on the

contrary, it is extended to the utmost bound of nature's original intention; whereas, in Ireland, where food is neither in the same quantity nor of the same quality, the body cannot expand itself, but is dwarfed and stunted in its dimensions."—*Ib.*, p. 186.

Arthur Young describes the physical state of the Irish peasantry in 1776-8 in terms which might with scarcely any alteration be applied to them at the present time. The engraving of an Irish cabin, contained in his work (Part II., p. 25), is an exact representation of the hovels in which the Irish peasants still live.

Some strong expressions of Lord Clare when Attorney-General, with respect to the poverty of the peasants in the south have been already quoted (p. 27). Similar statements occur in another speech delivered by him in 1787: "I agree with the Right Honourable Gentleman [Mr. Grattan]," he says, "that the lower order of the people in Munster are in a state of oppression, abject poverty, sloth, dirt and misery, not to be equalled in any other part of the world." This he attributes "in the first place to their own indolence, and in the next, to a class of men called middlemen, a set of gentry who, having no inheritance, no education, no profession or other means of life than by getting between the inheritor and cultivator of the soil, grind the poor people to powder."—*Irish Debates*, vol. vii., p. 343.

Wolfe Tone, in a journal published in his *Life*, gives an account of the proceedings at a meeting of the committee for foreign affairs at the Hague, to which he was taken by General Hoche, in June, 1797, in order to discuss some arrangements with respect to the intended invasion of Ireland. "A member of the committee (he says), I believe it was Van Leyden, then asked us, supposing everything succeeded to our wish, what was the definite object of the Irish people. To which we replied categorically, that it was to throw off the yoke of England, break for ever the connexion now existing with that country, and constitute ourselves a free and independent people. They all expressed their satisfaction at this reply;

and Van Læyden observed, that he had travelled through Ireland, and to judge from the luxury of the rich, and extreme misery of the poor, no country in Europe had so crying a necessity for a revolution. To which Lewines and I replied, as is most religiously the truth, that our great motive for our conduct in this business was the conviction of the wretched state of our peasantry, and the determination, if possible, to amend it."—P. 251.

See also the statements as to the miserable condition of the Irish immigrants into the west of Scotland before 1790, cited from Sinclair's Statistical Account of Scotland, in the Appendix to the Report on the Irish Poor in Great Britain, pp. 154, 155. For example, it is stated of the parish of Leswalt in Wigtonshire: "Few of the natives of this country are in very indigent circumstances; but we have constant supplies from Ireland of poor emaciated persons, whose very aspect excites compassion. Every week brings fresh cargoes to Portpatrick, and they are permitted to traverse the country at large. This is a grievance that has long been complained of, but hitherto without redress."—Vol. iii., p. 321.

Those who affirm that *poverty has increased* in Ireland may wish to convey any one of three different meanings: 1st. They may mean that the physical condition of the Irish poor has been deteriorated; that the poor are worse fed, worse clad, and worse lodged. 2nd. They may mean that the class of poor bears a larger proportion than heretofore to the class of rich; for example, that whereas formerly sixty-five persons out of a hundred belonged to the class of poor, ninety out of a hundred now belong to that class. 3rd. They may mean that there are more poor persons in the country; that the *absolute* number of poor is larger than it was. That there is a greater number of poor persons in Ireland now than at any previous time, is certain; it is also probable, from the manner in which the population has increased, (see above, p. 57,) that their *relative* number, as compared with that of the rich, is larger than at any former period; but there is no ground whatever for supposing that the standard of physical comfort among the mass of the Irish peasantry was ever higher than it is at the present time.

(Note B.—p. 97.)

THE number of Crimes reported by the Inspectors General of Police in Ireland, during the year 1833; with the proportion between the number of Crimes and the amount of Population in 1831.

	Ulster.	Leinster.	Munster.	Connaught.	Total.
Riot	340*	94	46	59	539
Rescue, and resistance to legal process	127	41	48	226	442
Illegal Meetings ...	83	128	6	64	281
" Notices	28	680	138	204	1124
Administering unlawful Oaths.....	2	4	31	130	167
Appearing in Arms.	6	53	18	68	135
Robbery or demand of Arms	20	260	44	69	393
Assaults connected with Combination	68	571	153	134	926
Attacks on houses ..	83	824	116	302	1325
Burning	96	190	82	121	489
Maiming or destroying Cattle	19	90	29	133	271
Malicious injury to Property	107	542	60	181	890
Homicide	45	56	80	57	237
Firing at Persons...	12	24	26	17	129
Cutting and maiming	13	4	11	3	31
Burglary.....	54	427	5	104	590
Robbery	384	526	53	325	1288
Stealing Cattle	48	105	1	82	236
Rape, and attempt at Rape	51	25	18	147	241
Abduction	6	10	8	31	55
Serious assaults not connected with combination.....	89	..	..	54	143
(N. B. Common and trifling assaults are not included.)	1751	4704	973	2515	9943
Population in 1831 ..	2,286,622	1,907,713	2,227,152	1,343,914	7,765,401
Proportion of Crime to Population 1 in	1,305	405	2288	534	780

* The number of Riots in Ulster appears greater than it should be: the returns for one district in that province having included *assaults* under the same head.

Crimes in the order of their frequency in the four provinces for 1833 :—

Ulster.		Leinster.	
Robbery	384	Attacks on houses	824
Riot	340	Illegal notices	680
Rescue	127	Assaults connected with com-	
Injury to property	107	nation	571
Illegal notices	98	Injury to property	542
		Robbery	526
Munster.		Connaught.	
Assaults connected with		Robbery	325
combination	153	Attacks on houses	302
Illegal notices	138	Rescue	226
Attacks on houses	116	Illegal notices	204
Burning	82	Injury to property	181
Homicide	80		

In all four provinces the serving of illegal notices is one of the five most frequent crimes.

In all, except Ulster, assaults connected with combination, attacks on houses, and illegal notices are among the five most frequent crimes.

In all, except Munster, injury to property and robbery are among the five most frequent crimes; in Ulster and Connaught robbery is the most frequent crime.

In Munster alone burning and homicide are among the five most frequent crimes.

In Ulster the riots appear in this statement more numerous than they were, for the reason stated at the foot of the return.

The following tables were abstracted from the same documents as those inserted in the text, p. 103-6.

MUNSTER. 1833.	Sessions At-	Threatning Notices	Burglars	Homicide	Attacks on Houses	Injury of Pro- perty.	Putting into Dwellings.	Robbery.	Riot	Robbery of Arms.	Rescue.	Administering Illegal Oaths.	Maiming or Killing Cattle.	Wiring at the Person.	Appearance in Arms.	Rape and at- tempt to com- mit.	Turning up Land.	Cutting and Maiming.	Resistance to Legal process.	Abduction.	Illegal Assem- bly.	Burglary.	Child Murder.	Sacrilege.	Stealing Cattle.	Total
January	9	16	8	13	13	6	6	7	4	10	7	4	4	3	4	1	..	..	..	..	..	..	..	..	..	95
February ...	16	24	5	3	8	9	6	1	2	4	5	1	2	2	5	2	..	..	..	3	..	..	..	..	..	98
March	21	12	11	10	5	1	5	7	4	3	1	4	1	1	..	3	1	..	..	..	..	..	..	..	..	91
April	11	13	10	3	5	7	8	10	1	6	..	3	1	1	1	..	6	2	..	..	..	..	1	..	..	90
May	10	13	8	4	7	2	4	..	4	1	..	2	1	3	1	1	6	2	..	1	1	..	1	..	..	72
June	8	4	5	8	..	3	..	1	7	..	5	1	2	..	..	2	..	1	..	..	1	1	..	..	..	48
July	10	5	6	3	..	..	..	..	2	3	2	..	1	2	1	5	..	..	..	1	..	1	..	..	..	42
August	6	7	3	5	4	9	5	5	3	5	2	4	3	5	6	2	..	2	1	1	1	1	1	..	..	80
September .	13	12	9	7	4	7	7	5	6	2	5	2	3	4	1	1	..	1	3	1	3	2	1	..	..	101
October	20	14	8	7	7	1	6	7	5	4	1	1	4	1	..	..	..	3	..	..	..	..	..	..	..	89
November ..	17	8	7	8	6	5	2	6	3	3	6	4	4	2	..	..	..	1	1	..	1	..	..	1	..	85
December ..	13	11	3	7	4	3	3	3	5	3	5	5	3	4	..	..	..	1	4	1	1	..	..	..	1	77
Total	154	139	83	78	63	53	52	52	46	44	39	31	29	26	19	17	13	13	9	8	7	5	4	1	1	968

The crimes committed simply for the purpose of obtaining property, are not numerous :—

Robbery	52
Burglary	5
Sacrilege	1
Cattle stealing	1

59 out of 968 crimes.

There is no mention of sheep-stealing, pig-stealing, or horse-stealing.

The crimes of malicious injury to property are just three times as numerous as those for the abstraction of it.

Injury to property	53
Burnings	83
Maiming and killing cattle	29
Turning up land	13

178

The number of crimes is at its lowest in June and July: (forty-eight and forty-two, the average being eighty). The difference between these and the other months is particularly seen, if we select particular descriptions of crime.

	Threatening Notices.	Homicide.	Attacks on Houses.	Injury of Property.	Firing into Dwellings.	Robbery.	Administering Illegal Oaths.	TOTAL.
January	16	13	13	6	6	7	4	65
February	24	3	8	9	6	1	1	52
March	12	10	5	1	5	7	4	44
April	13	3	5	7	8	10	3	49
May	13	4	7	2	4	..	2	32
June	4	8	..	3	..	1	1	17
July	5	3	..	..	..	..	..	8
August	7	5	4	9	5	5	4	39
September	12	7	4	7	7	5	2	44
October	14	7	7	1	6	7	1	43
November	8	8	6	5	2	6	4	39
December	11	7	4	3	3	3	5	36

For these seven crimes, June and July taken together are lower than any one other month.

The cause of this doubtless is, that most of the crimes being preconcerted and combined attacks on the persons and property of individuals, the short light nights of summer are not favourable to the commission of them. In other crimes, as in riot and rape, this is not the case; and thus we find that the maximum of riots is in June, and of rapes in July.

In France the maximum of crimes against the person is in summer, of crimes against property in winter. (Guerry, *Statistique Morale de la France*, p. 29.) Crimes against property are doubtless frequent in France during the winter, for the same cause that insurrectionary outrages abound in Ireland at that season, viz., the length of the nights. The prevalence of crimes against the person in France during the summer is probably (as M. Guerry remarks) connected with the length of the days; as meetings for amusement and convivial purposes occur frequently in the country during the warm months, which are likely to lead to offences of this description.

(Note C.—p. 333.)

The following description of the improvement of the peasantry in Tongland parish, in Kirkcudbrightshire, occurs in the account of that parish, furnished by the minister, for Sir John Sinclair's Statistical Work on Scotland, and written about the year 1790. As there appears to have been nothing very peculiar in the state of this parish, the description may be considered as more or less applicable to other parts of Scotland which were not within the influence of towns.

“They are industrious and careful about their secular affairs, in their different lines of life, and do not interfere with matters of state; decent in their dress, and good economists in their mode of living. None of them have been hanged or banished in modern times. In general they are sober and temperate, notwithstanding that whisky is both cheap and plenty of late years, there being only a few who are votaries of that per-

nicious beverage. They have made great progress in civilization and good manners, and have made remarkable improvement of late in their houses, dress, and manner of living, as will appear evident from the following authentic sketch of the statistical state of this parish about sixty or seventy years ago. [1720 or 1730.]

“At the above period, there was not a hat to be seen in the whole congregation upon a Sunday. They wore Kilmarnock bonnets or caps of different colours. In church they kept on their bonnets and caps during the lecture and sermon, and took them off only during the prayer, the singing of psalms, and the pronouncing the blessing. Few or none of the common people could read, and the precentor read the scriptures to them in church before the minister made his appearance. They had no buckles in their shoes, but tied them with small leather thongs; had no metal buttons on their clothes, but large clumsy buttons of wood moulds, covered over with the same cloth as the coat. The men wore kelt coats, made of a mixture of black and white wool, as it came off the sheep, in its natural state. Neither men nor women, in general, wore any shirts, and when they did, they were made of coarse woollen; in general, they changed their plaiding shirts twice in the year, at Whitsunday and Martinmas. It was long before linen shirts came into use among the vulgar. They wore no shoes in the summer, nor winter, but in the time of severe frost and snow. Their children got no shoes till they were able to go to the kirk. The women wore coarse plaiding or drugget gowns, made of the coarsest wool, and spun in the coarsest manner. The tenants’ wives wore toys of linen of the coarsest kind upon their heads when they went to church, fairs, or market. At home, in their own houses, they wore toys of coarse plaiding. The young girls, linen matches, with a few plaits in them above their foreheads, when they went abroad, to the church, or to fairs, or market. At home they went bareheaded, with their hair snooded back on the crown of their head, with a woollen string in the form of a garter. Their houses were the most miserable hovels, built of stone

and turf, without mortar, and stopped with fog or straw, to keep the wind from blowing in upon them. They had a window on each side of the house, which they opened or shut as the wind blew, to give them light. These windows they stopped with straw or fern. In such houses, when they kindled a fire, they lived in a constant cloud of smoke, enough to suffocate them, had they not been habituated to it from their infancy. They had many of them no standing beds, but slept on heath and straw, covered with the coarsest blankets, upon the floor. They kept their cattle in the same house with themselves, tied to stakes in one end of the house. There was no division to separate the cattle from themselves. Their furniture consisted of stools, pots, wooden cogs and bickers. At their meals they ate and supped altogether out of one dish. They lived in a coarse and dirty manner, and ate of the meanest and coarsest food. In general, their food consisted of brose, pottage, oat-meal flummery, and greens boiled in water with a little salt. The dishes out of which they fed were seldom washed after meals, and, of course, were often thick with dirt. Each person in the family had a short-hafted spoon made of horn, which they called a *munn*, with which they supped, and carried it in their pocket, or bung it by their side. They had no knives and forks, but lifted the butcher meat they ate with their fingers. They ate little meat at that time, excepting the offals of their flocks, which died either by poverty or disease. At Martinmas they killed an old ewe or two, as their winter provision, and used the sheep that died of the braxy in the latter end of autumn. At this time their farms had no march fences to separate them from their neighbours. A single farm was let in runrig among a number of tenants, which caused them to live in a constant state of warfare and animosity. The dividing the produce of the farm, according to each tenant's share, became a usual source of quarrels and fighting.

"Their mode of agriculture was uncommonly stupid in every stage of the operation. They yoked six oxen and two horses in one plough, and sometimes eight oxen and two horses. They yoked four horses abreast in a plough without oxen, and had

always one to hold the plough, and another to drive the cattle. They used a heavy clumsy Scots plough, that murdered the weak and half-starved animals to drag it after them. Their harrows were heavy and clumsy, with the teeth made of wood instead of iron. In the spring season their horses and oxen fell down in the draught through perfect poverty and weakness. They ploughed great quantities of the land, and had poor returns for their labour. They took four or five crops, without putting on any manure. In dry seasons, they could scarcely gather their corn in harvest, upon account of its shortness. They sowed nothing but poor grey Scots oats; their poor land would bear no other species of grain. This kind of oats yielded little meal, and of a dark colour. When their corn came above the ground in the spring, they had constant herding of their cattle day and night, till the harvest was finished, and the corn gathered into their corn-yards. They built turf-folds in summer in the fields, into which they put their cattle in the middle of the day, when annoyed with the heat; and also at night, to preserve them from destroying their grain. In the night they put all their cattle into these turf-folds, and one or two persons watched them every night in summer and harvest, till their corns were got in. By over-stocking their farms, the poor animals were starved for want of grass. In the spring, their cattle were so weak, that when they lay down they could not rise of themselves till they lifted them up. They fell into mosses and quagmires through weakness, and were drowned. In the spring season, it was a constant custom to gather their neighbours together, to assist in lifting their cows and horses, and to drag them out of moss holes. At that time, and for long after, there was not a cart in the parish. They led home their corn and hay in cars, and in trusses on the backs of their horses, and their peats in creels and sacks. They led out their dung on cars, or creels coupled and hung over the horses' backs. The women carried out dung in creels on their backs, and the men filled the creels at the dunghill, and lifted it upon their shoulders. This resembled the savage state of society, where all the drudgery of the domestic labour fell to the de-

partment of the female sex. At that time there were no saddles nor bridles, and they rode to church and market upon brechams and pillions placed on the horses, and halters on the horses' heads made of hair. They shod their horses' fore feet, but put no shoes upon their hind feet. The women had no little wheels, but span with the rock and spindle. Their yarn was uncommonly coarse. They had no candles to give them light in the winter nights. When the goodman of the house made family worship, they lighted a ruffy*, to enable him to read the psalm, and the portion of scripture, before he prayed. The men had no razors, but clipped their beards every Saturday night with scissors, to appear more decent upon the Sunday. The lower class in general were tainted strongly with superstitious sentiments and opinions, which had been transmitted down from one generation to another by tradition. They firmly believed in ghosts, hobgoblins, fairies, elves, witches and wizards. These ghosts and spirits often appeared to them at night. They used many charms and incantations to preserve themselves, their cattle and houses, from the malevolence of witches, wizards, and evil spirits, and believed in the beneficial effects of these charms. They believed in lucky and unlucky days and seasons, in marrying, or undertaking any important business. They frequently saw the devil, who made wicked attacks upon them when they were engaged in their religious exercises, and acts of devotion. They believed in benevolent spirits, which they termed *brownies*, who went about in the night time, and performed for them some parts of their domestic labour, such as thrashing and winnowing their corn, spinning, and churning. They fixed branches of mountain ash, or narrow-leaved service tree, above the stakes of their cattle, to preserve them from the evil effects of elves and witches. All these superstitious opinions and observations, which they firmly believed, and powerfully influenced their actions, are of late years almost obliterated among the present generation. Both men and women, about sixty years ago, were robust and healthy, and subject to few diseases. They

* A *ruffy* is explained by Jamieson to be "a wick clogged with tallow."

were strangers to every complaint of a nervous nature. This arose from the hardy manner in which they were brought up from their infancy, and being accustomed to watch their cattle without doors in the night during the whole summer and harvest season. From the above authentic statistical account of this parish about sixty or seventy years ago, compared with its present state of improvement, in agriculture, the manners dress, and mode of living among its inhabitants, and their present sentiments in religion, the great improvement they have made in agriculture and civilization will appear in the most striking point of view; and as they are still in a gradual train of improvement at present, it gives the most flattering prospects of their future progress in the course of time. The greatest danger to their present progress is the raising the land to a racked rent, which industrious tenants may be unable to pay." Sinclair's Statistical Account of Scotland, vol. ix. p. 324-9.

See similar though less detailed descriptions of the improvement in the physical condition of the Scottish peasantry, *ibid.*, vol. xi. p. 156; xiv. p. 481; xvi. p. 295. On the transition from the cottier system, the consolidation of farms, and the migration into the towns, see vol. ix. p. 561-3; vii. p. 178; xii. p. 412.

(Note D.—p. 336.)

In all the Irish political writings of the last century, absenteeism holds as prominent a place in the list of grievances as it does at the present day.

"The rents of land in Ireland (says Swift in his Seventh Drapier's Letter), since they have been of late so enormously raised and screwed up, may be computed to about two millions; whereof one-third part at least is directly transmitted to those who are perpetual absentees in England, as I find by a computation made with the assistance of several skilful gentlemen."—Vol. vii., p. 40.

"Upon this subject of perpetual absentees (he adds) I have

spent some time in very insignificant reflections ; and considering the usual motives of human actions, which are pleasure, profit, and ambition, I cannot yet comprehend how those persons find their account in any of the three. *I speak not of those English peers or gentlemen who besides their estates at home have possessions here, for in that case the matter is desperate ;* but I mean those lords and wealthy knights or squires whose birth, and partly their education, and all their fortune (except some trifle), and that in a very few instances, are in this kingdom. I knew many of them well enough during several years when I resided in England ; and truly I could not discover that the figure they made was by any means a subject for envy ; at least, it gave me two very different passions."—*Ib.*, p. 42.

"As to the lands of those who are perpetual absentees (he likewise says), I do not see any probability of their being ever improved. In former times, their tenants sat at easy rents ; but for some years past they have been, generally speaking, more terribly racked by the dexterity of merciless agents from England than even those who hold under the severest landlords here. I was assured upon the place by a great number of credible people, that a prodigious estate in the county of Cork being let upon leases for lives, and great fines paid, the rent was so high, that the tenants begged leave to surrender their leases, and were content to lose their fines."—*Ib.*, p. 56.

In another tract, he says, "One-third part of the rents of Ireland is spent in England ; which with the profit of employments, pensions, appeals, journeys of pleasure or health, education at the inns of court and both universities, remittances at pleasure, the pay of all superior officers in the army, and other incidents, will amount to a full half of the income of the whole kingdom, all clear profit to England."—*Short View of the State of Ireland, 1727.* *Ib.*, p. 117.

See also Berkeley's *Querist*, Nos. 408-413.

In 1730 was published at Dublin and London "A List of the Absentees of Ireland, and the Yearly Value of their Estates and Incomes spent Abroad ;" in which the yearly value spent

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abroad is reckoned at 621,499*l.* 3*s.* 1*d.* The list of absentees published at Dublin in 1769 makes this sum 1,208,982*l.* 14*s.* 6*d.* The author of *Commercial Restraints*, p. 120, says that "the sums remitted from Ireland to Great Britain for rents, interest of money, pensions, salaries, and profits of offices, amounted at the lowest computation, from 1768 to 1773, to 1,100,000*l.* yearly." See also Arthur Young's *List of Absentees*, part ii., p. 57-60.

The following is Plowden's account of the absentee tax brought forward under the lieutenancy of Lord Harcourt, in 1773. "It must be allowed (he says) that this lord-lieutenant had the exclusive merit of having proposed a measure which the interests of Ireland had long called for, and which the influence of the great landowners in the country had always opposed. At the beginning of the first session under Lord Harcourt, an absentee tax was offered on the part of government, and, wonderful to say, was rejected. In the then distressed and impoverished state of Ireland, it will be neither rash nor harsh to conclude that the patriotism of the majority which rejected this seasonable relief to their country could have been neither disinterested nor pure. It was proposed that a tax of 2*s.* in the pound should be laid upon the net rents and annual profits of all landed property in Ireland, to be paid by all persons who should not actually reside in that kingdom for the space of six months in each year from Christmas, 1773, to Christmas, 1775. This measure, though so equitable in itself, so desirable for the country, which was drained of its own produce, to be spent in another country, could not so decently be pressed by the representatives of the English government as left to the free disposal of the Irish parliament, whose interest it more immediately concerned. It was not, therefore, made a government question; all their connexions were understood to be left at perfect liberty, and most of the servants of the Crown voted against the question. Considering the powerful interest that was made against the tax by the most considerable landowners on this and the other side of the water, the small majority by which it was rejected is

rather to be wondered at, there being 102 for, and 122 against the measure."—Hist. Review, vol. i., pp. 422, 423.

The question of an absentee tax was again brought forward by Mr. Molyneux in 1783; but his motion was lost upon a division, by 184 votes against 22.—Ib., vol. ii., Part I., p. 64.

Adam Smith, in his *Wealth of Nations*, published in 1765, has the following remarks bearing on this subject. "Those (he says) who live in another country, contribute nothing by their consumption towards the support of the government of that country in which is situated the source of their revenue. If in this latter country there should be no land-tax, nor any considerable duty upon the transference either of movable or immovable property, as is the case in Ireland, such absentees may derive a great revenue from the protection of a government to the support of which they do not contribute a single shilling. This inequality is likely to be greatest in a country of which the government is in some respects subordinate and dependent upon that of some other. The people who possess the most extensive property in the dependent, will in this case generally choose to live in the governing country. Ireland is precisely in this situation, and *we cannot therefore wonder that the proposal of a tax upon absentees should be so very popular in that country.*"—B. v., ch. ii. Part II. Art. 4.

(Note E.—p. 349.)

EMIGRATION OF PROTESTANTS FROM IRELAND.

It appears that there was a continual emigration of Protestants from Ireland to America throughout the last century, at which time persecution by the Catholics could not have occurred. The emigrations appear to have almost constantly taken place from the northern ports: thus seven ships, leaving Belfast for America with 1000 passengers, in 1728, are mentioned in Boulter's Letters, vol. i., p. 288. The number of emigrants who left Ireland in 1771, 1772, and 1773, is stated in Newenham's Inquiry into the Population of Ireland, p. 59:

the ports from which the ships sailed were Belfast, Newry, Derry, Larne, and Portrush. Arthur Young gives the following more detailed account of this subject :—

“ The spirit of emigrating in Ireland appears to be confined to two circumstances, the *Presbyterian religion*, and the *linen manufacture*. I heard of very few emigrants except among manufacturers of that persuasion. The Catholics never went, they seem not only tied to the country, but almost to the parish in which their ancestors lived. . . . At the time of Lord Donegal's letting his estate in the north, the linen business suffered a temporary decline, which sent great numbers to America, and gave rise to the error that it was occasioned by the increase of his rents : the fact however was otherwise, for *great numbers of those who went from his lands actually sold those leases for considerable sums*, the hardship of which was supposed to have driven them to America *. . . . Being half farmers, half manufacturers, they have too much property in cattle, &c., to enlist when idle : *if they convert it into cash it will enable them to pay their passage to America*, an alternative always chosen in preference to the military life.”—Tour in Ireland, Part II., p. 30.

“ Leaving Lurgan I went to Warrenstown, and waiting upon Mr. Waring, had some conversation with him upon the state of the country. He was of opinion that the emigrations had not thinned the population, for at present [1776] they are crowded with people ; but he thinks if the war ends in favour of the Americans, that they will go off in shoals. Very few Roman Catholics emigrated.”—Tour in Ireland, Part I., p. 112.

The following evidence of Mr. John Godley, resident on the borders of Leitrim and Cavan, also relates to this point :—

“ Is emigration confined to the Protestants, or do Roman Catholics emigrate also?—Of late years the Roman Catholics have emigrated as well as the Protestants ; but there is a difference in the description of persons emigrating ; the Protestants of a better order are more in the habit of emigrating than

* See above, p. 34.

the Roman Catholics. Some individual members of Roman Catholic families emigrate; but I do not think that they emigrate in the same proportion as Protestants do.

"Would you say that there is a greater spirit of enterprise among one description than among the other?—I think Protestants are more inclined to try their fortunes either by emigration or by entering into the army; very lately, on the last quarter-day, at the petty sessions of the two towns that I attend, I took a list of all the Chelsea pensioners who came forward to make their affidavits. I had it taken for the purpose, as a magistrate, of being able to identify them again, so as not merely to be satisfied with the individual swearing, that he was the person mentioned in the instructions from the hospital, but that I might be sure to recollect him afterwards; they amounted to one hundred and thirty Chelsea pensioners in a small district. When I had the list I looked over it, and as a matter of curiosity it struck me it would be desirable to ascertain the relative proportions of each persuasion, and it is a curious fact that the Protestants in that list outnumbered the Roman Catholics. Now I do not at all mean to infer from that, that the proportion of Protestants in the population is greater; I merely state the fact as an answer to the question just asked me, that there is a greater spirit of enterprise and greater readiness to push their fortune among the Protestants.

"Do not you think the spirit of enterprise will be always proportionable to the chances of success, and the objects which can excite ambition?—I conceive it is precisely the same with regard to both classes in the army.

"In other professions?—If it is considered abstractedly, of course that is the case.

"Have you known any instances in that part of the country analogous in principle, though not in degree, to the elevation of Mr. Curran or Lord Avonmore, from the humblest classes in society to high legal office and reputation?—No, I do not."—*H. C.*, 1825, p. 737.

The subjoined statement, written in the autumn of 1834, may be relied on, as coming from a person well acquainted with the facts:—

“PROTESTANT EMIGRATION.—Under this head it was said at the late Conservative meetings, that it was owing to ‘Protestant persecution,’ ‘Popish ascendancy,’ &c., &c., that such extensive emigration from the province of Ulster had taken place. The contrary is the fact: it is well known that in the counties of Fermanagh, Tyrone, and Donegal, extensive confiscation took place, and a large number of farmers (Protestants) were in possession of from fifty to one hundred and fifty acres, some fee simple, more at 2s. 6d. an acre, which they inherited from their predecessors. In the lapse of years their families increased, and having received favourable accounts from persons who had emigrated some half-dozen years previously, farmers who had three, four, and five sons or daughters approaching to maturity, considered it prudent to sell their lands, emigrate, and purchase double or treble the quantity in a new country; ‘Because,’ said they, ‘if we split our farms and apportion to each child a share, it will be *but a few acres each*, and they and theirs will become poor. Besides, we will go to a country where we will be free from Grand Jury cess and tithes, and we can leave to *each* of our children as much as we here possess in *the whole*.’ I have known several to have received in cash from 80*l.* to 250*l.* for their farms. Religious persecution, proscription, &c., was not the cause, as I had the fact out of their own mouths.

“It is also worthy of remark, that the purchasers of emigrant property were uniformly Protestants, with the exception of one case in the county of Fermanagh. A man named ———, a Roman Catholic, bid 100*l.* for an emigrant’s interest in land; the auctioneer, Mr. ———, a man of strong ascendancy feelings, regretted extremely being obliged to knock down Protestant land to a Popish bidder.

“The humbler class of Protestants, smiths, carpenters, masons, &c., and labourers, emigrate thus:—A member of the family emigrates this year; should he be successful and acquire a little money, he pays the fare to the captain of an emigrant ship in America, transmits a ticket to his relative or relatives, and enables thereby his family in Ireland to join him in America.

"The motive to emigration with the Protestants is self-interest, and a desire to better their condition, and not religious persecution."

In a certain sense it may be said with truth, that the emigration of the Protestants has been owing to the pressure of the Catholics. The Catholics having multiplied rapidly, and being destitute of the means of subsistence, have increased the difficulty of obtaining employment, have lowered the rate of wages, and raised the rent of land by their competition. The Protestants, unwilling to submit to this degradation, and unable to resist the tendency to sink, preferred emigration to impoverishment, and left the country while they had still the means of defraying the expenses of their passage and outfit.

On the other hand, there was a drain in the Catholic population, caused by *foreign enlistment*. "Think (says Arthur Young) of the loss to Ireland of so many Catholics of small property resorting to the armies of France, Spain, Sardinia, and Austria for employment."—Part II., p. 35. The Abbé M^cGeoghegan, the author of a History of Ireland in the French language, published in 1763, states on official authority the apparently incredible fact that, between 1691 and 1745 more than 450,000 Irishmen had died in the French service. "Par des calculs et des recherches faites au bureau de la guerre (he says) on a trouvé qu'il y avoit eu depuis l'arrivée des troupes Irlandoises en France en 1691 jusqu'en 1745, que se donna la bataille de Fontenoy, plus de quatre cens cinquante mille Irlandois morts au service de la France."—Vol. iii., p. 754. Mr. Newenham, however, who quotes and examines this statement in his Inquiry into the Population of Ireland, thinks "that we are not sufficiently warranted in considering it as an exaggeration,"—pp. 60-3.

LONDON :
Printed by W. Clowes and Sons,
Stamford-Street.



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